

## Chapter A

### ADMINISTRATIVE CODE

**[HISTORY: Adopted by the Ulster County Legislature. Amendments noted where applicable.]**

#### GENERAL INFORMATION

This Administrative Code incorporates relevant provisions of the Ulster County Charter. Charter language is included in italics.

#### ARTICLE I

#### Government of Ulster County

##### **§ A1-1. Title.**

This chapter shall be known as the "Ulster County Administrative Code."

##### **§ A1-2. Purposes.**

The Ulster County Administrative Code is intended to outline the organizational structure of the County government as prescribed in the New York State Municipal Home Rule Law, to delineate the location of the responsibilities of the County government and to make provision for administrative leadership in order to promote an efficient and responsible County government.

##### **§ A1-3. Effect of local laws and other enactments.**

All existing laws, ordinances, legalizing acts and resolutions of the County shall remain operative except where inconsistent with this Administrative Code as adopted by local law.

##### **§ A1-4. County status, powers and duties.** <sup>1</sup>

*Upon adoption of the Charter, Ulster County shall be and remain a municipal corporation under its same name and shall exercise all of the rights, privileges, functions and powers conferred upon it by the Charter, and any other applicable statute not inconsistent with such Charter. Ulster County shall be subject to all duties and obligations imposed upon it by existing or subsequent laws not inconsistent with the provisions of the Charter, including all powers necessarily incidental to or which may be fairly implied from the powers specifically conferred upon it.*

##### **§ A1-5. Charter effect on state laws.** <sup>2</sup>

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1. Editor's Note: See Charter § C-2.

*The Charter provides a form for and structure of County government in accordance with the provision of Article 4 of the Municipal Home Rule Law of the State of New York. All special laws relating to Ulster County and all general laws of the State of New York shall continue in full force and effect except to the extent that such laws have been repealed, amended, modified or superseded in their application to Ulster County by enactment and adoption of the Charter. Within the limits prescribed in Article 4 of the Municipal Home Rule Law, wherever and whenever any state law, general, special, or local in effect, conflicts or is inconsistent with the Charter, such law shall be deemed, to the extent of such conflict or inconsistency, to be superseded by the Charter insofar as the County of Ulster and its government are affected.*

**§ A1-6. Charter effect on local laws and resolutions.** <sup>3</sup>

- A. *All local laws and resolutions, heretofore adopted, which are contrary to or inconsistent with the provisions of the Charter, are hereby repealed.*
- B. *All of the laws of the state relating to the towns, cities, villages or districts of the County of Ulster shall continue in full force and effect except to the extent that such laws have been repealed, amended, modified or superseded in their application to Ulster County by the enactment and adoption of the Charter.*

**§ A1-7. Amendment or revision of Charter.** <sup>4</sup>

- A. *Amendment through the Legislature. The County Executive, any Legislator, the Legislature collectively or any person may make recommendations at any time to the County Legislature for amendments to the Charter. A proposed amendment or proposed amendments to the Charter may be adopted in the manner provided by the Municipal Home Rule Law.*
- B. *Amendment or revision by Commission. Within five years after the enactment of the Charter, and at least every 10 years thereafter, a Charter Revision Commission shall be appointed to review and make recommendations to the County Executive and Legislature on amendments, additions or revisions to the County Charter. The Commission shall consist of 11 qualified electors of Ulster County and representing the different geographic areas and reflective of the demographic diversity of the County, with five members appointed by the County Executive, three members to be appointed by the leader of the party in the Legislature with the most members, and three members by the leader of the party in the Legislature with the second most members. No appointee to this Commission shall be a County employee or elected official at the time he or she serves on this Commission.*
  - (1) *The first meeting of the Commission members shall be convened by the County Executive in the second week after the deadline for its appointment for the purposes of electing a Chairman and receiving its charge. The Chairman*

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2. Editor's Note: See Charter § C-3.

3. Editor's Note: See Charter § C-4.

4. Editor's Note: See Charter § C-5.

*of this Commission shall be elected at that meeting by a majority vote of the entire membership of the Commission.*

- (2) *The Legislature shall provide such funds as are necessary for the Commission to conduct its business effectively. No member of the Charter Revision Commission shall receive any compensation, but each member shall be reimbursed by the County of Ulster for all actual and necessary expenses incurred in the course of the performance of his or her duties as a member of the Commission.*
- (3) *The Commission shall call upon necessary expertise in the community and state, shall hold public hearings to gather citizen opinion on the strengths and weaknesses of the Charter and proposed improvements, and shall maximally publicize its work through the print and electronic media and the County website. The Commission shall issue a written report to the County Legislature and County Executive at the conclusion of its deliberations, but no later than one year from the date of its first meeting, containing its findings and recommendations, if any, for amendments or revisions of the Ulster County Charter to be placed by the County Legislature before the people of Ulster County for their consideration at the next scheduled general election at least 60 days after the report is delivered to the Clerk of the Legislature. The Commission shall be dissolved on the day following its report or one year and one day from the date of its first meeting.*
- (4) *The Commission, by two-thirds vote of its members, may place directly before the voters for their approval at referendum proposals to amend or revise Charter provisions pertaining to the County in Article II or III of the Charter. These amendments or revisions must be filed with the Ulster County Board of Elections timely so as to allow a vote upon it at the next scheduled general election after the Commission reports. No later than one month before the scheduled referendum at which its adoption will be considered, the Commission must hold at least one public hearing on any Charter change proposed directly to the ballot. Amendments or revisions proposed directly to the ballot by the Commission will be deemed adopted if approved by a majority of voters casting ballots on the question during the next scheduled general election. Notwithstanding other provisions of the Charter, if the Charter Commission proposes a matter for direct ballot consideration, the Commission will continue to function until the day after election day of the year of consideration of its proposal on the ballot.*

**§ A1-8. Definitions.** <sup>5</sup>

Whenever used in the Administrative Code, unless otherwise expressly stated, or unless the context or subject matter otherwise requires, the following terms shall have the meanings indicated:

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5. Editor's Note: See Charter § C-6.

**ADMINISTRATIVE CODE** — The Administrative Code as adopted by the County Legislature, and any amendments thereto.

**ADMINISTRATIVE HEAD** — *The head of any administrative unit.*

**ADMINISTRATIVE UNIT** — *Any department, division, bureau, office, board or commission or other agency of County government, or any subordinate part of the foregoing.*

**AUTHORIZED AGENCY** — *Any agency authorized by the Charter, Administrative Code or applicable law, including, but not limited to, those authorized by the County Law, to receive and expend County funds for a County purpose.*

**CAPITAL PROGRAM** — *The plan of capital projects proposed to be undertaken during a five-year period, the estimated cost of such projects, and the proposed method of financing. It shall be arranged in such manner as to indicate the order of priority of each project, and to state for each project:*

- A. *A description of the proposed project and the estimated total cost;*
- B. *The proposed method of financing, indicating the amount proposed to be financed by direct budgetary appropriation of duly established reserve funds; the amount, if any, estimated to be received from the federal and/or state government; and the amount to be financed by the issuance of obligations, showing the proposed type or types of obligations, together with the period of probable usefulness for which they are proposed to be issued; and*
- C. *An estimate of the effect, if any, upon operating costs of the municipal corporation within each of the three fiscal years following completion of the project.*

**CAPITAL PROJECT**

- A. *Any physical betterment or improvement, including furnishings, machinery, apparatus or equipment for such physical betterment or improvement when first constructed or acquired; or*
- B. *Any preliminary studies and surveys relating to any physical betterment or improvement; or*
- C. *Land or rights in land; or*
- D. *Any combination of Subsection A, B or C.*

**CHARTER** — *The Ulster County Charter and all its amendments, if any.*

**CLERK** — *The Clerk of the County Legislature.*

**COUNTY** — *The County of Ulster.*

**COUNTY EXECUTIVE** — *The elective chief executive officer of the County, who shall govern according to those powers provided for in the Charter, or under any other provision of applicable law.*

**COUNTY LAW** — *The County Law of the State of New York.*

*COUNTY LEGISLATURE — The elective legislative, appropriating and policy-determining body of the County of Ulster. Whenever the term "County Board," "Board of Supervisors," "County governing board" or "elective governing body of the County" is referred to in any law, it shall be deemed to mean and refer to the County Legislature.*

*DEPARTMENT — The administrative unit which is the primary level of County government.*

*DEPARTMENT HEAD — The administrative head of any department, and may also be referred to herein as a "commissioner" or "director."*

*DIVISION — The administrative unit which is the secondary level of County government.*

*ELECTION LAW — The Election Law of the State of New York.*

*E-MAIL — A written communication exchanged between people by electronic means such as a computer or other devices, through either a local area network or the Internet.*

*EX OFFICIO — A voting member unless there is governing legislation that specifically provides otherwise.*

*EXECUTIVE LAW — The Executive Law of the State of New York.*

*GENERAL MUNICIPAL LAW — The General Municipal Law of the State of New York.*

*LOCAL LAW — A legislative act of the County Legislature adopted pursuant to the Municipal Home Rule Law, but shall not mean or include a resolution, ordinance or similar act of the County Legislature.*

*MUNICIPAL HOME RULE LAW — The Municipal Home Rule of the State of New York.*

*PUBLIC OFFICE — Any office of federal, state or local government whether elected or appointed.*

*PUBLIC OFFICERS LAW — The Public Officers Law of the State of New York.*

*REAL PROPERTY TAX LAW — The Real Property Tax Law of the State of New York.*

*SECRETARY OF STATE — The Secretary of State of the State of New York.*

*VACANCY — The lack of occupancy in an office or post due to the death, resignation or official removal of an elected or appointed public official.*

*WHOLE NUMBER — The total number of persons which the County Legislature or other group of persons would have were there no vacancies and none of the persons disqualified from acting.*

*WRITING — Any intentional recording of words in a visual form, whether in the form of handwriting, printing, typewriting, or any other tangible form.*

## ARTICLE II Legislative Branch

**§ A2-1. County Legislature.** <sup>6</sup>

*The elective legislative body of Ulster County is and shall be the County Legislature of the County of Ulster.*

**§ A2-2. Members; term of office; election.** <sup>7</sup>

- A. *Effective at the general election of 2011, the County of Ulster shall be divided into 23 legislative districts, from each of which shall be elected one person to be a member of the County Legislature. Such persons while holding office shall be known as "Legislators."*
- B. *The term of office of the members of the County Legislature shall be two years beginning on the first day of January next following their election at the general election held in every odd-numbered year.*

**§ A2-3. Qualifications.** <sup>8</sup>

- A. *Each member of the County Legislature shall, at the time of the Legislator's nomination and election and throughout the Legislator's term of office, be and remain a qualified elector and resident of the district from which the Legislator is elected, except that for an election immediately following the reapportionment of County legislative districts, the incumbent County Legislator representing a district redrawn in such reapportionment shall be eligible for nomination for election in either his or her district of residence or any newly drawn district which is contiguous to his or her district of residence, provided that the County Legislator shall become a resident of the district represented no later than one year after taking office.*
- B. *No County Legislator shall hold at the same time any other elective public office.*

**§ A2-4. Commission on Reapportionment.** <sup>9</sup>

- A. *A Commission on Reapportionment shall be established as soon as practicable after the availability of data from the census of 2010 to create 23 single-member districts for the Ulster County Legislature and thereafter to meet and evaluate existing legislative districts no later than 60 days after the necessary census data becomes available from the decennial federal census and reapportion them as necessary to meet established standards in state and federal law for equal and fair representation of all people in Ulster County, keeping districts compact and contiguous while taking also into account existing town, city, village and election district boundaries and defining geographic features but giving no consideration to providing advantage to one or another political party. This Commission shall*

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<sup>6</sup>. Editor's Note: See Charter § C-7.

<sup>7</sup>. Editor's Note: See Charter § C-8.

<sup>8</sup>. Editor's Note: See Charter § C-9.

<sup>9</sup>. Editor's Note: See Charter § C-10.

*consist of seven members who are County residents, are eligible to register to vote and are not public officers or employees. For purposes of this section, "public officers or employees" shall be defined as public officers or County employees or employees of any town, city or village within the County of Ulster.*

- B. *To establish a pool from which members will be appointed, no later than three months prior to the anticipated first meeting of the Commission on Reapportionment, the County Executive shall widely solicit interest in serving on the Commission through such means as direct mail and e-mail contact with civic groups, public service announcements on radio and television and in daily and weekly newspapers, paid advertisement and announcement on the County website.*
- C. *Initial appointments to the Commission on Reapportionment from the pool of interested parties gathered in this manner shall represent various geographic areas of the County and shall be made no later than 60 days after the census data becomes available, with two members appointed by the Legislature's majority leader and two members by the Legislature's minority leader.*
- D. *These four appointed Commissioners shall select the additional three Commission members from the pool previously established no later than 70 days after the census data becomes available. In the event that the additional three Commission members are not appointed by the prescribed deadline, the appointment of the initial four members will no longer have force and effect and these members will no longer be eligible to serve on the Commission on Reapportionment. The majority and minority leaders will make alternative appointments in the manner prescribed in this section, and the four newly appointed members will appoint three additional members so as to allow the Commission to convene no later than six months after the census data becomes available.*
- E. *The Commission will reapportion in accordance with a process that allows timely input from the County Legislature and its members and the maximum of public participation and comment, and in accord with a calendar it adopts for itself after consideration of New York State Election Law that assures that elections in newly apportioned districts will be held in the year ending in "1" in every decade.*

**§ A2-5. Powers and duties of Legislature.** <sup>10</sup>

- A. *The County Legislature shall be the legislative, appropriating and policy-determining body of the County and, as such, shall have and exercise all powers and duties now or hereafter conferred upon it by applicable law and any and all powers necessarily implied or incidental thereto, and all the powers assigned to it by the Ulster County Charter and restricted as therein provided. Among such powers and duties, but not by way of limitation, it shall have the power:*
  - (1) *To make appropriations, levy taxes, incur indebtedness and adopt a budget, including a capital program;*

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10. Editor's Note: See Charter § C-11.

- (2) *To exercise all powers of local legislation in relation to enacting, amending, or rescinding local laws, legalizing acts, local laws, or resolutions;*
- (3) *By local law to adopt, amend or repeal an Administrative Code which shall set forth the details of administration of the County government consistent with the provisions of the Charter and which Administrative Code may contain revisions, simplifications, consolidations, modifications and restatements of special laws, local laws, resolutions, rules and regulations consistent with the Charter or amendments thereto;*
- (4) *By local law to create, alter, combine or abolish County administrative units;*
- (5) *To adopt by resolution all necessary rules and regulations for its own conduct and procedure;*
- (6) *Subject to the Constitution and general laws of the State of New York, to fix the number of hours constituting a legal day's work for all classes of County employees and, upon recommendation of the County Executive, grant to the department head the power to stagger work hours;*
- (7) *To grant by resolution to officers and employees of the County vacations, sick leaves, compensatory time and leaves of absence, with or without pay, and adopt rules and regulations in relation thereto;*
- (8) *To fix the compensation of all officers and employees paid from County funds or, for employees not covered by a collective bargaining agreement, to establish salary ranges within which the appointing authority shall have discretion to set the actual salary within the range;*
- (9) *To approve all labor contracts;*
- (10) *To fix the amount of official bonds and undertakings of officers and employees;*
- (11) *To conduct studies and investigations in furtherance of its legislative functions and, in connection therewith, to obtain and employ professional and technical advice, appoint citizens' committees, commissions and boards, subpoena witnesses, administer oaths, and require the production of books, papers and other evidence deemed necessary or material to such studies or investigations;*
- (12) *To create and establish the office of deputy or deputies to the head of any department, agency, or administrative unit;*
- (13) *To determine and make provision for any matter of government not otherwise provided for, including, but not by way of limitation, any necessary matter involved in the transition to the Charter form of government;*
- (14) *To determine and fix real property tax equalization rates among the various taxing districts of the County for County purposes consistent with standards prescribed by the Legislature of the State of New York and file the same in accordance with applicable law;*



(15) *To approve the execution of all contracts and change orders in the amount of \$50,000 or in excess of \$50,000 entered into by the County, except that:*

- (a) The Director of Purchasing shall have the authority and discretion to extend existing contracts and execute same, as well as recurring types of services, including, but not limited to: New York State Office of General Services contracts, piggyback contracts, mandated/preferred source, sole-source, and utility contracts. The Director of Purchasing shall provide a report to be annexed to the abstract of contracts, for reporting purposes only, setting forth those contracts that he or she has executed, and a copy of which shall be filed with the County Executive and the Clerk of the Legislature.
- (b) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved by the County Legislature for all contracts in the amount of \$50,000 or more. Upon approval of said abstract by the County Legislature, the Director of Purchasing shall present the abstract to the County Executive. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § C-74B(2) in the County Charter.

(16) *To provide for the annual audit of the books and records of the County by independent auditors.*

- B. No current or former County Legislator may be appointed or confirmed by the Ulster County Legislature or Chairman of the Legislature to any paid office or paid position of employment with the County of Ulster within one year after his or her service as a County Legislator has ended, with the exception of the Office of Commissioner of the Board of Elections.
- C. If a vacancy occurs in the office of the District Attorney, Sheriff, County Clerk or Treasurer of the County of Ulster otherwise than by expiration of the term, the vacancy shall be filled by the Governor of the State of New York pursuant to § 400(7) of County Law of the State of New York, except the office of Treasurer, which shall expire December 31, 2008, and shall become the office of Commissioner of Finance.

**§ A2-6. Powers and Duties of Chairman.**

- A. There is hereby assigned to the Chairman of the Ulster County Legislature the following specified administrative powers and duties on behalf of the Ulster County Legislature and his or her performance thereof:
  - (1) To become familiar with the property functions and fiscal matters of the County.
  - (2) To authorize attendance by Legislators or legislative staff, including appointees of the Legislature, at conferences, conventions, and schools for the

betterment of County government, including the right to determine which conferences, conventions, and schools and who may attend, and that all persons traveling out of the County on County business be and hereby are required to have attached to their voucher for expenses when presented for audit a completed approval form signed by the Chairman authorizing such travel.

- (3) To execute and deliver any contracts authorized by law and by the County Legislature, which are not within the powers of the County Executive as set forth in the Ulster County Charter.
- (4) To appoint members of boards, commissions and advisory committees, except where such appointments are required to be made by the County Legislature or the County Executive under state or federal law or the Ulster County Charter.
- (5) To refund taxes pursuant to § 556 of the Real Property Tax Law.
- (6) To direct the cancellation of taxes pursuant to § 558 of the Real Property Tax Law.
- (7) Except as otherwise provided by the Ulster County Charter, perform such other administrative duties as the Legislature determines to be necessary

**§ A2-7. *Submission of enactments for executive approval; veto and veto override.*** <sup>11</sup>

- A. *Except as otherwise provided by the Ulster County Charter, every local law, legalizing act, or resolution adopted by the County Legislature, except legislative branch appointments not otherwise subject to County Executive approval and resolutions establishing rules and regulations or other matters pertaining solely to the conduct of the Legislature, shall be certified by the Clerk of the Legislature and submitted within five days after passage to the County Executive for the County Executive's approval in writing.*
- B. *If the County Executive approves the local law or resolution, he or she shall sign it and return it to the Clerk of the County Legislature; it shall then be deemed to have been adopted. If he or she disapproves the local law or resolution, he or she shall veto it by returning it within 10 days to the Clerk with his or her objections stated in writing, or 30 days in the case of a local law. Any resolution not returned within 10 days, or 30 days in the case of a local law, will be deemed to have been adopted. The Clerk shall present the local law or resolution with the County Executive's objections to the County Legislature at its next regular meeting, and these objections shall be entered in the Legislature's record, journal or minutes of proceedings.*
- C. *Within 30 days after such receipt and entry, the County Legislature may reconsider such vetoed enactment and pass the same over the objections thereto by a favorable vote of at least 2/3 of the whole number of its elected members on a roll-call vote.*

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11. Editor's Note: See Charter § C-12.

**§ A2-8. Local laws.** <sup>12</sup>

- A. *Adoption, amendment and repeal. The County Legislature may adopt, amend and repeal local laws by a majority vote of the total number of its members. Each local law shall embrace only one subject and may relate to property, affairs or government of the County, or any other subject of County concern. In the exercise of such power, and within the limitations provided by Article 4 of the Municipal Home Rule Law, the County may change, supersede or amend any act of the State Legislature.*
- B. *Procedure. Except as may otherwise be provided in the Charter, all procedural details relating to the adoption, amendment and repeal of local laws, including the conduct of referenda in connection therewith, shall be as provided in the Administrative Code or applicable law.*
- C. *Referenda. Local laws shall be subject to mandatory or permissive referenda when required by the Charter or applicable law.*
- D. *Effective date. Every local law shall become effective when filed in the office of the Secretary of State of the State of New York, or on such later date as may be provided in the local law.*

**§ A2-9. Resolutions.** <sup>13</sup>

- A. *Adoption, amendment and repeal. The County Legislature may adopt, amend and repeal resolutions by a majority vote of the whole number of its members. Each resolution shall embrace only one subject and may relate to property or any other subject of County concern not required by the Charter or applicable law to be provided by local law. Resolutions shall not be subject to referenda.*
- B. *Procedure. Except as otherwise provided in the Charter, all procedural details relating to the adoption, amendment and repeal of resolutions shall be as provided in the Administrative Code or applicable law.*

**§ A2-10. Confirmation of appointments.** <sup>14</sup>

*A proposed appointment or proposed appointments to County office by the County Executive that require confirmation by the County Legislature under provisions of the Charter shall be presented by the County Executive to the Clerk of the Legislature in writing in sufficient time to allow the Clerk to inform the full Legislature of the proposed appointment or appointments at least two weeks prior to the Legislature's next scheduled meeting. If the Legislature fails to confirm or reject the proposed appointment or appointments by majority vote of all its elected members by the next regular meeting occurring more than 15 days after the filing of the appointment with the Clerk, the appointment or appointments shall be deemed confirmed. When an appointment is*

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12. Editor's Note: See Charter § C-13.

13. Editor's Note: See Charter § C-14.

14. Editor's Note: See Charter § C-15.

*rejected by the Legislature, the appointment of the same individual for the same position may not be resubmitted by the County Executive during his or her term of office.*

**§ A2-11. Advisory committees, commissions and boards.** <sup>15</sup>

*Members of all citizens' committees, commissions and boards appointed pursuant to § C-11K of the Charter shall serve at the pleasure of the County Legislature. They shall serve without compensation other than for actual and necessary expenses within appropriations made therefor, unless otherwise provided by resolution of the County Legislature. The Chairman of the County Legislature shall be a member ex-officio of all such committees, commissions and boards.*

**§ A2-12. Organizational meeting.** <sup>16</sup>

- A. *The organizational meeting of the County Legislature shall be conducted on or before the second Tuesday of January in each year, at the time and place designated in a written notice to be given each Legislator by the Clerk of the County Legislature not later than five days prior to such meeting. In the event of a vacancy in the office of the Clerk of the County Legislature, or his or her inability or failure to act in accordance with the provisions of this section, notice shall be given by the County Clerk. In that event, the County Clerk shall determine the time and place designated in a written notice to be given by the County Clerk to each Legislator, the County Executive, the Clerk of the County Legislature, and the County Attorney not later than three days prior to such meeting. Public notice of such meeting shall also be given by the County Clerk at the same time written notice is given to the public officials referenced herein.*
- B. *At this organizational meeting, the members of the Legislature shall select a Chairman at the call of the Clerk of the Legislature in each year. The Chairman shall appoint members of the County Legislature to serve on such committees as are provided by the rules of such Legislature. The Clerk of the County Legislature shall preside at all meetings of the Legislature until such time as a Chairman has been designated by election or appointment. The failure to elect a Chairman or appoint committee members shall not prevent the County Legislature from transacting its ordinary business.*
- C. *In the event of vacancy in the office of Chairman, the County Legislature shall fill that office in the manner provided by its rules. Should the County Legislature fail to select a Chairman within 30 days after that office shall become vacant for any reason, the County Executive shall appoint a member of the County Legislature to serve as Chairman for the balance of the calendar year.*

**§ A2-13. Monthly and special meetings; notice.** <sup>17</sup>

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15. Editor's Note: See Charter § C-16.

16. Editor's Note: See Charter § C-17.

17. Editor's Note: See Charter § C-18.

*The County Legislature shall fix by rule the time and place of its regular meetings, which shall be conducted at least once each calendar month. No prior notice of such meetings shall be required. Special meetings may be conducted at such times and places and upon such conditions and notice to all members as the County Legislature by rule may provide.*

**§ A2-14. Clerk of the County Legislature.** <sup>18</sup>

*A Clerk of the County Legislature shall be appointed by the Chairman of the County Legislature at its organizational meeting, or at an adjourned meeting thereof, in the manner provided by its rules. The Clerk shall be and remain an elector of the County, and he or she shall serve at the pleasure of the Legislative Chairman and until his or her successor shall be appointed and shall qualify. A vacancy in the office of Clerk shall be filled by appointment of the Chairman. The Chairman may appoint such Deputy Clerks and employees as the Legislature may require.*

**§ A2-15. Counsel to Legislature; Minority Counsel.** <sup>19</sup>

- A. *Appointment. There shall be a Counsel to the Legislature who shall be appointed by the Chairman of the Legislature. At the time of his or her appointment, and throughout his or her term of office, the Counsel to the Legislature shall be and remain duly licensed and entitled to practice law in the State of New York. He or she shall be appointed on the basis of his or her legal experience and other qualifications for the responsibilities of this office. He or she shall be directly responsible to the Chairman of the Legislature and shall serve at the pleasure of the County Legislature.*
- B. *Duties. The Counsel to the Legislature shall prepare local laws, resolutions, legalizing acts or other legislation or memoranda and opinions regarding these and perform other duties as required and assigned by the Chairman of the Legislature.*
- C. *Minority Counsel. There shall also be a part-time Minority Counsel who shall be an attorney at law licensed to practice law in the State of New York and who shall generally provide legal advice and assistance to the members of the County Legislature belonging to the political party holding the second largest number of seats in the Legislature. He or she shall be selected by that party's caucus and shall serve at the pleasure of said caucus.*

**§ A2-16. Filling membership vacancies.** <sup>20</sup>

*A vacancy in the County Legislature shall be filled by appointment by the County Legislature of a qualified elector residing within the district no later than 30 days from the time at which the vacancy occurs. If the appointment is not made within 30 days, a special election shall be conducted to fill the vacancy within 90 days after the vacancy occurs; provided, however, that if there is a scheduled general election within 120 days*

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18. Editor's Note: See Charter § C-19.

19. Editor's Note: See Charter § C-20.

20. Editor's Note: See Charter § C-21.

*after said vacancy occurs, the vacancy shall be filled at that general election. A person who fills a vacancy, if appointed or elected at a special election, shall serve until commencement of the calendar year next succeeding the first general election after the happening of the vacancy at which a successor may be elected, and the vacancy shall be filled at such election for the unexpired term. A person elected at a general election to fill a vacancy shall serve out the remainder of the term for that seat.*

**ARTICLE III**  
**Executive Branch**

**§ A3-1. County Executive.** <sup>21</sup>

*The executive power of the County government shall be vested in a County Executive who, as chief executive, shall be responsible for the proper administration of all County affairs placed in the County Executive's charge by any and all provisions of the Charter and/or by law.*

**§ A3-2. Election and qualifications.** <sup>22</sup>

*The County Executive shall be elected from the County at large, shall be a qualified elector of Ulster County at the time of his or her nomination and election and shall remain a qualified elector of Ulster County throughout his or her term of office. The County Executive shall hold no other elected public office or compensated employment and shall devote full time to the duties of the office.*

**§ A3-3. Term of office.** <sup>23</sup>

*The County Executive shall be elected for a three-year term at the regularly scheduled election in the first even-numbered year following the adoption of the Charter, and thereafter every fourth year for a four-year term. The County Executive's term of office shall begin with the first day of January following his or her election.*

**§ A3-4. Powers and duties of County Executive.** <sup>24</sup>

*The County Executive shall be the chief executive and administrative head of the County. The County Executive shall be responsible for the administration of all County affairs. Except as may be otherwise provided in the Charter, he or she shall have and exercise all the executive powers and duties conferred by the Charter and/or in law upon a County executive officer or the executive branch of a County government, and all powers and duties necessarily implied or incidental thereto:*

- A. *Appoint department heads and other officers and employees as provided in the Charter. Should the County Executive fail to make such appointment in writing,*

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21. Editor's Note: See Charter § C-22.

22. Editor's Note: See Charter § C-23.

23. Editor's Note: See Charter § C-24.

24. Editor's Note: See Charter § C-25.

*signed and filed in the offices of the Clerk of the Legislature and the County Clerk within a period of 30 days from a vacancy in such department or administrative unit, as the case may be, the County Legislature may appoint such department head or administrative unit head. In no event, unless a default occurs in the confirmation process by the County Legislature, shall any person appointed by the County Executive enter upon his or her office unless confirmation by the County Legislature shall have been filed by the Clerk in the offices of both the County Clerk and the Clerk of the Legislature;*

- B. *Supervise, direct and control the administration of all departments;*
- C. *Appoint, without confirmation by the County Legislature, such assistants, officers, and employees of the County Executive's office as may be authorized by the County Legislature;*
- D. *Supervise and direct the internal structure and organization of every unit of the executive branch of the County government;*
- E. *Reorganize the duties of, create, combine, separate, or eliminate executive departments of the County with the confirmation of the Legislature;*
- F. *Except as otherwise provided in the Charter, serve as an ex-officio member of and appoint, supervise and terminate all executive committees, commissions and boards needed to assist him or her in the exercise of his or her executive functions and in the planning, formulation and administration of executive policies and programs;*
- G. *Appoint an administrative Cabinet to assist the County Executive in the day-to-day management of County government; such cabinet may include representatives from the units of government as deemed appropriate by the County Executive;*
- H. *Call such Cabinet to order and convene at the pleasure of the County Executive to keep the County Executive abreast of the general functioning of the operations of their respective departments;*
- I. *Except as otherwise provided in the Charter or applicable law, supervise the appointment and dismissal of employees;*
- J. *Conduct or supervise the conduct of collective bargaining negotiations with legally designated bargaining agents of County employees. The County Executive shall be responsible for the negotiation of all employee contracts, which shall be subject to approval by the County Legislature;*
- K. *Transfer employees temporarily between departments or subdivisions thereof;*
- L. *Determine the County officer who shall perform a particular power or duty the performance of which is not otherwise clearly defined by the Charter, Code or enactment of the County Legislature and report any such determination to the County Legislature;*
- M. *Designate and authorize any officer or employee paid from County funds, except any member, officer or employee of the Legislative Branch, to attend an official or unofficial convention, conference or school for the betterment of County*

government; within the appropriations provided therefor; and when so authorized, all necessary and actual expenses, including but not limited to registration fees, not exceeding the amount as fixed by the General Municipal Law and mileage as fixed by the County Legislature, shall be paid from County funds;

- N. *Serve as the chief budgetary officer of the County, and as such, prepare and submit to the County Legislature the annual budget, capital program, and accompanying message, all as provided for in Article IV, Financial Procedures, of the Charter, and execute the County budget and capital program in accordance with the resolutions and appropriations made by the County Legislature;*
- O. *Designate one or more official depositories located within the County for the deposit of County funds;*
- P. *Himself or herself or through a designee, require the submission of regular reports of all County-funded agencies, assuring that publicly provided funds are used by said funded agencies in accord with overall County plans and agreed annually specified goals and objectives for said agencies;*
- Q. Be responsible for the preparation of Grants proposals and applications;
- R. *Approve or disapprove the sufficiency of sureties on official bonds and undertakings required to be posted of officers within the Office of the County Executive;*
- S. Supervise the operation and management of the plan for Ulster County's Self-Insurance Program, and delegate the authority to administer it to the County Insurance Officer as set forth in § C-127B(2) of the Charter;
- T. Approve the placement of all County insurance which shall be deemed necessary with the business and property of the County within appropriations set by the Legislature;
- U. Approve the settlement of claims for and against the County up to \$1,000.00. Claims in excess of \$1,000, but below \$25,000, may be approved after consultation with the County Attorney;
- V. Secure proper accounting for all funds in a manner consistent with generally accepted accounting principles; oversee the physical property of the County; exercise general supervision over all County institutions and agencies; and coordinate the various activities of the County and unify the management of its affairs;
- W. Be responsible for keeping the County Legislature fully advised as to the financial condition and needs of the County and file with the Legislature an annual report of the financial affairs of the County;
- X. *Execute all contracts and change orders under the sum of \$50,000 and, with the approval of the County Legislature, all contracts and change orders in the amount of \$50,000 or in excess of \$50,000, except that:*
  - (1) The Director of Purchasing shall have the authority and discretion to extend



existing contracts and execute same, as well as recurring types of services, including, but not limited to: New York Office of General Services contracts, piggyback contracts, mandated/preferred source, sole-source, and utility contracts. The Director of Purchasing shall provide a report to be annexed to an abstract of contracts, for reporting purposes only, setting forth those contracts that he or she has executed, and a copy of which shall be filed with the County Executive and the Clerk of the Legislature;

- (2) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved for execution to the County Executive for all contracts under the amount of \$50,000. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § C-74B(2) of the County Charter; and
  - (3) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved by the County Legislature for all contracts in the amount of \$50,000 or more. Upon approval of said abstract by the County Legislature, the Director of Purchasing shall present the abstract to the County Executive. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § C-74B(2) of the County Charter.
- Y. Except as otherwise provided in the Charter or herein, make, sign, execute, and implement all contracts on behalf of the County, within the amounts appropriated by the County Legislature, except that a contract for: (1) the sale, purchase or transfer of real property or (2) the provision of facilities or the rendering of services by or for any other government must be approved by the County Legislature. In lieu of individual approval of each contract described in (1) and (2) above, the County Legislature may adopt policies authorizing the County Executive to execute and implement classes of such contracts. The County Executive shall have the power to delegate the making, signing, executing and implementing of contracts to other County officers;
- Z. *Approve or disapprove in writing every proposed local law and resolution and the County Budget by specified items, subject to the provisions of § C-12 of the Charter;*
- AA. Execute and enforce all local laws and resolutions of the County Legislature and see that all laws required to be enforced through the County Legislature or other County officers, subject to its control, are faithfully executed;
- BB. *Make such recommendations to the County Legislature with respect to the affairs of the County and its government as he or she may deem appropriate;*
- CC. In addition to the powers set forth in this Code, have and be responsible for the

exercise of all executive and administrative powers in relation to any and all functions of County government not otherwise specified in this Code; and

- DD. In the event of an occurrence of an emergency affecting the life, health or safety of inhabitants of Ulster County, the County Executive, except as otherwise provided by law, shall have the power to declare the same an emergency and to perform all acts which are necessary for the protection of such inhabitants and to sign all necessary papers to carry the authorization into effect.

**§ A3-5. Appointment of department heads.** <sup>25</sup>

- A. *Except as otherwise provided in the Charter, the County Executive shall appoint, to serve at his or her pleasure during his or her term of service, or for such term as may be specified in the Charter, the head of every department or other administrative unit not administered by an elective official.*
- B. *The appointment by the County Executive of the head of each department or other administrative unit shall be subject to the confirmation by the County Legislature by vote of a majority of the whole number of members elected to that body, taken at a regular or special meeting.*
- C. *All appointments, whether or not subject to confirmation of the County Legislature, shall be in writing, signed by the County Executive, and filed in the office of the Clerk of the County Legislature within 10 days after the date of appointment. Except as otherwise provided in the Charter, no such appointee shall hold office beyond the term of the County Executive by whom the appointment was made. Unless removed, an appointee shall continue to serve until his or her successor is appointed and has qualified, or until an interim appointment is made.*
- D. *Upon confirmation by the County Legislature and qualifying for the office, an appointee to a position of head of a department or other administrative unit shall enter upon the duties of that position.*
- E. *The County Executive may designate a qualified person to serve temporarily or on an interim basis for no longer than 45 days as the head of a department or administrative unit.*
- F. *All other officers and employees of each department or other administrative unit shall be appointed by the head of that department or administrative unit, unless otherwise provided by the Charter.*
- G. *The County Executive may appoint one person as head of two or more departments or other administrative units or may serve himself or herself as the head of one or more administrative units or departments, subject to all requirements in the Charter and/or law as to qualifications.*

**§ A3-6. Deputy County Executive(s).** <sup>26</sup>

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25. Editor's Note: See Charter § C-26.

- A. *The County Executive may appoint or designate one or more Deputy County Executive(s), within the limits of appropriation set by the County Legislature, who shall serve at the pleasure of the County Executive. The Deputy County Executive(s) shall have the authority to act generally for and in place of the County Executive.*
- B. The position of Deputy may also be an additional title which may be designated by the County Executive for a department head. In such instance(s), in addition to department head duties, the Deputy County Executive shall directly consult with and advise the County Executive on problems and decisions relative to County operations, assist in the formulation of County-wide policies and procedures, act as the chief deputy administrator on behalf of the County Executive, and perform such duties as delegated by the County Executive.
- C. The designation of an order of succession for the position of Deputy County Executive shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the County Executive filing a new written designation of order of succession.

**§ A3-7. Advisory committees, commissions and boards.** <sup>27</sup>

*Members of all committees, commissions and boards appointed pursuant to § C-25H of the Charter shall serve at the pleasure of the County Executive without compensation other than for actual and necessary expenses within appropriations made therefor, unless otherwise provided by resolution of the County Legislature; provided, however, that in the case of individuals appointed hereunder for definite terms, no removal shall be made until the person to be removed has been served with notice of the reasons for such removal and given an opportunity to be heard publicly if he or she desires thereon by the County Executive. The decision of the County Executive shall be final.*

**§ A3-8. Acting County Executive.** <sup>28</sup>

- A. *The County Executive shall designate in writing, within 30 days of assuming office, and in order of succession, the person or persons who shall serve as Acting County Executive in the event that he or she resigns, dies or certifies in writing and files with the County Clerk a statement that he or she is unable to perform and/or exercise the powers and duties of the office of County Executive, or in the event that, upon advice sought by a majority of the whole number of members elected to the Ulster County Legislature by formal action not subject to veto by the County Executive, his or her inability to serve is certified by qualified and competent medical authority.*
- B. *Only persons incumbent in County government in positions subject to confirmation by the County Legislature may be designated to any list of succession for possible*

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26. Editor's Note: See Charter § C-27.

27. Editor's Note: See Charter § C-28.

28. Editor's Note: See Charter § C-29.

*service as Acting County Executive.*

- C. *If the office of County Executive becomes vacant as a result of resignation or death of the incumbent, the person designated as Acting County Executive shall serve no longer than the earliest date at which it is practicable, in accord with provisions of the New York State Election Law, to fill the position of County Executive for the remainder of the term by election at a regularly scheduled general election. The Acting County Executive shall hold office until and including the 31st day of December succeeding the first annual election at which the vacancy can be filled by election. A vacancy occurring in the office of County Executive before the 20th day of September of any year shall be filled at the next general election as provided by the Public Officers Law.*
- D. *At any time during the remainder of the term for which he or she was elected, a person elected as County Executive may file a retraction in writing with the County Clerk of his or her earlier statement of inability to perform and/or exercise the duties of the office and immediately resume service in that office. This provision shall not apply if the office of County Executive becomes vacant.*
- E. *At any time during the remainder of the term for which a County Executive was elected after he or she was found unable to perform and/or exercise the duties of the office by competent medical authority, that authority may file a retraction in writing with the County Clerk, and thereafter the County Executive may immediately resume service in that office.*
- F. *The designation of an order of succession for the position of Acting County Executive shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the County Executive filing a new written designation of order of succession. In the absence of such written designation of order of succession, and in the event of the County Executive's inability to perform and exercise the powers and duties of his or her office, the County Legislature shall appoint a person then serving in a position subject to its confirmation as Acting County Executive.*
- G. *The Acting County Executive shall have all the powers and perform all the duties of the County Executive.*

**§ A3-9. Removal of County Executive.** <sup>29</sup>

*The County Executive may be removed from office only in accord with provisions and in the manner provided in the New York State Constitution and the Public Officers Law.*

**§ A3-10. Conflict of Interest.**

The County Executive shall not be an officer, director or stockholder of any depository or depositories designated by him/her pursuant to § C-25J of the Charter, nor in any business proposing to supply equipment, supplies, materials or service to the County.

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29. Editor's Note: See Charter § C-30.

**§ A3-11. Seal of County Executive.**

The Seal of the County of Ulster shall be the Seal of the County Executive. Such Seal shall be used for all authorized and required purposes.

**§ A3-12. Bond of County Executive.**

The County Executive, and such of his or her deputies, officers and employees as the County Legislature or the County Executive shall require, shall file a surety bond to the County in a sum fixed by the County Legislature conditioned for the faithful performance of his or her duties. Such bond shall be approved as to form by the County Attorney and as to sufficiency of surety by the Chair of the County Legislature, and shall be filed with the County Clerk. It shall be a charge on the County.

ARTICLE IV  
**Financial Procedures**

**§ A4-1. Fiscal year.** <sup>30</sup>

*The fiscal year of Ulster County shall begin with the first day of January and end with the last day of December of each year.*

**§ A4-2. Duties of County Executive.** <sup>31</sup>

*It shall be the duty of the County Executive to prepare and file the County expense and capital budgets and capital program for each fiscal year in accordance with the provisions of the Charter and applicable state law. Pursuant to this duty, the County Executive shall have the power, personally or through his or her representatives, to require all necessary information from all departments, agencies, offices or units of County government for the purpose of ascertaining and/or assessing their budgetary requirements.*

**§ A4-3. Departmental, agency, office or unit estimates.** <sup>32</sup>

*The head of each department, agency, office or unit of County government shall submit to the County Executive, in writing, and through such channels and processes as specified by him or her, an overall estimate for that department, agency, office or unit and estimates by program within that department, agency, office or unit of expected expenses and expected revenues for the next ensuing fiscal year. These estimates shall be called "departmental estimates" and shall be organized with proposed grand totals of expenses and revenues for personnel services and other than personnel services for the department, agency, office or unit and proposed subtotal appropriations for personnel services and other than personnel services for each program within each department, agency, office or unit. A statement of actual expenses and actual revenues for the*

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30. Editor's Note: See Charter § C-31.

31. Editor's Note: See Charter § C-32.

32. Editor's Note: See Charter § C-33.

*immediately preceding completed fiscal year, budgeted expenditures and revenues for the current fiscal year, and expenditures and revenues to date for the current fiscal year shall be included in departmental submission, prepared in the same specified format for comparison purposes. Each departmental estimate of expenses and revenue by program shall be supported by such other detail and other supporting information concerning the economy, efficiency and effectiveness of departmental performance as the County Executive shall require. Departmental estimates shall be public records and shall at all reasonable times be open to public inspection.*

**§ A4-4. Submission of County budget.** <sup>33</sup>

- A. *On or before the first Friday of October in each year, the County Executive shall submit to the Clerk of the Legislature, for consideration by the County Legislature, a proposed operating and capital budget for the next ensuing fiscal year and a proposed capital program for the next ensuing six fiscal years or other period as may be authorized by law, together with a budget message as provided in § C-35. Upon their submission, the proposed expense and capital budgets, hereinafter called the "County budget," together with the budget message, shall be posted on the County website and become public records in the office of the Clerk for distribution.*
- B. *The proposed County budget shall be balanced, with projected revenues equaling or exceeding estimated expenses for the next ensuing fiscal year, and shall be presented in three sections, one of which shall set forth the estimated revenues and receipts, one of which shall set forth the estimated expenses, and one of which shall set forth the proposed capital authorizations and expenditures. A statement of actual expenses and actual revenues for the immediately preceding completed fiscal year, budgeted expenditures and revenues for the current fiscal year, and expenditures and revenues to date for the current fiscal year shall be included in the proposed County budget, prepared in a format that facilitates year-to-year comparison. The proposed County budget shall present the complete financial plan for the County and its agencies for the next ensuing fiscal year, including setting forth proposed borrowing, if any. An estimate of unencumbered balances at the end of each completed fiscal year, except when otherwise provided by law or appropriated for a capital improvement or other authorized continuing project, shall be treated as revenue for the County budget for the next ensuing fiscal year.*

**§ A4-5. Budget message.** <sup>34</sup>

*The County Executive shall submit with the County budget a budget message summarizing and explaining the main features of the County budget, including information identifying and analyzing new or changed programs, with such supporting schedules and explanatory materials as he or she may deem desirable or the Legislature may by resolution require. The County Executive's proposed budget shall include a clear*

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33. Editor's Note: See Charter § C-34.

34. Editor's Note: See Charter § C-35.

*summary demonstration that there is a balanced relationship between the total estimated expenditures and the total estimated revenues for the next ensuing fiscal year and shall compare these figures with the actual receipts and expenditures for the last completed fiscal year and the year-to-date actual and year-to-date projected total expenditures and revenues for the current fiscal year. The County Executive's budget message shall also outline the existing and any proposed financial policies of the County relating to the capital program, including a description of each capital improvement proposed to be undertaken in the preceding fiscal year and not yet completed. The budget message shall specify the manner in which the County Executive is overseeing management of departmental operations to assure economic, efficient, effective delivery of public services, and contain such additional information as the County Executive may deem appropriate, and shall be posted on the County's website.*

**§ A4-6. Review of County budget and message.** <sup>35</sup>

*The Legislature or a committee designated by it will review the County Executive's proposed County budget and budget message and may require attendance of the heads of departments, agencies, offices or units or their representatives and/or their production of records and information in explanation of their departmental estimates as the Legislature shall deem appropriate. The Legislature or a committee designated by it shall prepare a written analysis and review of the County Executive's proposed budget and make it publicly available, including posting it on the County government website, no later than the second Friday of November of each year.*

**§ A4-7. Public hearings on County budget.** <sup>36</sup>

*Beginning no later than the third Friday of November of each year, the Legislature shall hold, in at least three geographically dispersed locations in the County, public hearings on the County Executive's proposed County budget, the budget message submitted by the County Executive, the report resulting from the review and analysis of that budget and message by the Legislature or its designated committee. The Clerk of the Legislature shall cause to be posted on the County website, published in the official newspaper of the County and such other newspapers as may be designated by the Legislature, notices of the places, locations and times when these hearings shall be held, and their purposes; a concise summary of the proposed County budget, budget information, together with copies of the proposed budget. The budget message and the report submitted by the Legislature or its committee may be inspected or obtained by any interested person. At least 10 days shall elapse between the publication of a notice and the date specified for any budget hearing. At a budget hearing any person may be heard. Insofar as necessary and practicable within the deadline for the timely final adoption of the County budget, a budget hearing may be adjourned to a date certain or from day to day.*

**§ A4-8. Adoption of County budget.** <sup>37</sup>

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35. Editor's Note: See Charter § C-36.

36. Editor's Note: See Charter § C-37.

- A. *After the conclusion of the public hearings, the Legislature may strike items of appropriation or anticipated revenue from the proposed County budget or reduce items therein, excepting appropriations required by law for debt service. The Legislature may add items to or increase items in the County budget, provided that such additions or increases are stated separately and distinctly, and so long as projected expenditures and projected revenues in the County budget remain in balance.*
- B. *The balanced County budget as changed, altered or revised shall be adopted by resolution of the Legislature not later than the second Thursday of December.*
- C. *If the Legislature takes no action by the second Thursday of December, the budget submitted by the County Executive shall be deemed to be the adopted budget.*
- D. *If the County budget, as submitted by the County Executive, is adopted by resolution of the Legislature with no changes, it shall be adopted.*
- E. *If, however, the County budget as adopted by the Legislature contains any increases, additions, decreases or deletions, it shall be immediately presented by the Clerk of the Legislature to the County Executive for examination and reconsideration.*
- F. *If the County Executive approves all the increases, additions, decreases or deletions, he or she shall affix his or her signature to a statement thereof and return the County budget, together with such statement, to the Clerk of the Legislature, and the County budget, including the increases, additions, decreases or deletions as part thereof, shall be adopted.*
- G. *If the County budget, with any increases, additions, decreases or deletions, is not returned by the County Executive to the Clerk of the Legislature with his or her objections within five working days after presentation by the Clerk to the County Executive, it shall be deemed adopted, as changed, altered or revised by the Legislature.*
- H. *If the County Executive objects to any one or more of the increases, additions, decreases or deletions, the County Executive shall append to the County budget a statement of the increases, additions, decreases or deletions to which the County Executive objects, taking care that his or her proposed changes leave the County budget in balance and setting forth the reasons therefor, and shall, no later than five working days after receipt of the adopted budget from the Clerk of the Legislature, return the County budget with the objections to the Clerk of the Legislature, who shall immediately present them to the Legislature. The Legislature shall thereupon enter the objections upon its records and, not later than the 20th day of December, proceed to reconsider the increases, additions, decreases or deletions to which an objection is made by the County Executive. If upon such reconsideration the Legislature, by affirmative vote of at least 2/3 of its elected members, votes to approve any such increases, additions, decreases or deletions,*



*the County budget, with the changes so approved, together with any changes not so objected to by the County Executive, shall be deemed adopted as resubmitted by the County Executive so long as balance remains between proposed expenditures and proposed revenues in that budget. If the Legislature fails to act on or override such objections by a two-thirds vote of all members of the Legislature, the County budget shall be deemed conditionally adopted without the changes objected to by the County Executive.*

- I. *If any limitation date mentioned in this article falls on a holiday, Saturday or Sunday, then any time limitations required herein shall be extended to the next business day of the County.*
- J. *Copies of the County budget as adopted shall be certified by the County Executive and by the Clerk of the Legislature and shall be filed in the offices of the County Executive and the Clerk of the Legislature. The budget so certified shall be posted on the County website and, at the discretion of the Legislature, printed or otherwise reproduced and copies made available to the public at such cost as the Legislature shall deem appropriate. Materials posted to the County website annually during the course of preparation of the County budget may not be removed from public access until the certified County budget for the year is posted in accord with the requirements of this section.*

**§ A4-9. Levy of taxes; inclusion of reserve for uncollected taxes.** <sup>38</sup>

- A. *The net County tax requirement determined by subtracting the total estimated revenues from the total proposed expenditures as set forth in the adopted budget shall be levied in advance by the County Legislature on the taxable real property of the several tax districts of the County. The taxes so levied shall include an amount to be known as "reserve for uncollected taxes," which shall be a County charge. The County Legislature shall fix the amount of such a sum as it may deem sufficient to produce in cash from the collection of taxes and other revenues during the year monies required to meet the estimated expenditures of such year; provided, however, that such reserve for uncollected taxes shall not be less than the face amount of unpaid taxes for the preceding completed fiscal year.*
- B. *The amount of all taxes, special ad valorem levies and special assessments levied upon any parcel of real property by the County Legislature shall, except as otherwise expressly provided by law, be and become a lien thereon as of the first day of January of the fiscal year for which levied and shall remain a lien until paid.*

**§ A4-10. Budget modification after adoption.** <sup>39</sup>

- A. *The County Executive shall manage the County's resources to achieve maximum economy, efficiency and effectiveness in County government. Pursuant to this responsibility he or she may, during any fiscal year, transfer part or all of any*

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38. Editor's Note: See Charter § C-39.

39. Editor's Note: See Charter § C-40.

*revenue or expenditure within a program or purpose of any department, agency, office or unit to another program or purpose within that department, agency, office or unit, except that the effect of such a transfer may not be to reduce the rate of pay or annual salary of any County employee. Written notice of such a transfer shall be given to the Legislature.*

- B. *Upon written request of the County Executive, the Legislature may, during any fiscal year, transfer part or all of any revenue or expenditure from one department, agency, office or unit to another, or transfer part or all of any revenue or expenditure for the purpose of establishing or adding to a new program or programs within or between departments, agencies, offices or units, or transfer funds from a contingency account to a department, agency, office or unit, or change the terms and conditions under which expenditures may be made by a department, agency, office or unit. Any action taken by the Legislature pursuant to this section shall be by resolution, subject to the provisions of §§ C-12 and C-14 of the Charter.*
- C. *If, during any fiscal year, there are available for appropriation revenues received from sources not anticipated in the budget for that year or revenues received from anticipated source but in excess of the budget estimated for it, before such funds may be expended the County Legislature must make supplemental appropriations for the year, not in excess, however, of such additional revenues, whatever their source.*
- D. *If, at any time during the fiscal year, it appears that the revenues available will be insufficient to meet amounts appropriated, the County Executive shall report to the County Legislature without delay the estimated amount of the deficit, remedial action already taken by him or her, and his or her recommendations as to further action. The County Legislature shall take the action or actions that it deems necessary and as authorized by the Charter or state law to prevent or minimize any deficit. For purposes of eliminating or minimizing a potential deficit, the Legislature may, by resolution, reduce one or more appropriations, but no appropriation may be reduced by more than the unencumbered balance remaining for that purpose for the year, nor may any appropriation for debt service be reduced.*

ARTICLE V  
**Department of Health**

**§ A5-1. Commissioner of Health or Public Health Director.** <sup>40</sup>

- A. *There shall be a Department of Health, headed by a Commissioner of Health or a Public Health Director and Medical Consultant. The Commissioner of Health or Public Health Director shall meet the qualifications for this position specified in the New York State Public Health Law and Sanitary Code. In addition, he or she shall be a licensed physician with experience in public health. He or she shall be appointed by the County Executive in consultation with the Board of Health and*

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40. Editor's Note: See Charter § C-41.

*with confirmation by the County Legislature and serve at his or her pleasure, except that if either the Commissioner of Health or Public Health Director is appointed for a fixed term of years pursuant to a provision of state law, he or she may only be removed for cause after written notice of charges and an opportunity to be heard.*

- B. *Powers and duties. Except as otherwise provided in the Charter, the Commissioner of Health or Public Health Director shall have and exercise all the powers and duties conferred or imposed upon County or part-County health commissioners and upon County or part-County boards of health by the Public Health Law or any other law, except as otherwise provided by the Charter. He or she shall perform such other and related duties required by the County Executive.*
- C. Reports. On or before March 1 of each year, the Commissioner of Health or the Public Health Director shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year covering generally the work of his or her department. The Commissioner or Director shall make such other reports at such times as may be required by the County Legislature, County Executive, New York State Department of Health or any other applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A5-2. Deputy Commissioner of Health or Deputy Public Health Director.**

- A. The Commissioner of Health or the Public Health Director shall have the power to appoint one or more Deputy Commissioners of Health or Deputy Public Health Directors, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy appointed hereunder shall coincide with that of the Commissioner of Health or the Public Health Director, provided that such appointment may be revoked at any time by the Commissioner or the Director by written revocation filed with the County Clerk. All positions of Deputy Commissioner or Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Commissioner or the Director for a department staff member.
- C. Deputy Commissioners or Deputy Directors shall perform such duties pertaining to the office of the Department of Health as the Commissioner or the Director may direct and shall act generally for and in such place of the Commissioner or Director and perform such other and further duties as the Commissioner or Director may assign.
- D. The designation of an order of succession for the position of Deputy Commissioner or Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner or Director filing a new written designation of order of succession.

- E. Should the Deputy so designated by the Commissioner of Health or Public Health Director not be a licensed physician, and should the Commissioner of Health or Public Health Director resign, die or certify in writing and filed with the County Clerk a statement that he or she is unable to perform and/or exercise the powers and duties of the office, or should he or she be removed from office, then the County Executive, in consultation with the Board of Health and with confirmation by the County Legislature, shall appoint a qualified replacement as soon as practicable.

**§ A5-3. Board of Health.** <sup>41</sup>

- A. *Appointment.* There shall be a Board of Health consisting of seven members who shall be appointed by the County Executive for a term of five years, subject to confirmation by the Legislature, except that of the members first appointed to the Board of Health following adoption of the Charter, two members shall hold office for the term of one year, two members for the term of two years, one member for the term of three years, one member for the term of four years, and one member for the term of five years from and after their appointment. Two members shall be physicians. One member shall be a licensed health care professional who is not a physician. One member shall be selected from among three nominees submitted to the County Executive by the Mayor of the City of Kingston. If a vacancy shall occur other than by expiration of a term, it shall be filled by appointment for the unexpired term in the same manner as specified in this subsection. The members of the County Health Board shall select the Chairman of that Board for a term of one year. No member of the Board of Health shall serve for more than two consecutive terms. Members of the Board of Health shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes. Members of the Board of Health shall be residents of the County of Ulster.
- B. *Powers and duties.* The Board of Health shall exercise all the powers and perform duties of local boards of health as provided for under state law, including the Public Health Law of the State of New York, except as otherwise provided in the Charter. The Board of Health shall advise the Commissioner of Health or Public Health Director, the County Executive and the Legislature in matters relating to the Department of Health. The members of the Board of Health shall further have the power to inspect and review all facilities and programs of the Department of Health, with or without notice to the Commissioner of Health or Public Health Director, and as it regards as necessary and desirable may report and make recommendations to the County Executive, the County Legislature and Commissioner of Health or Public Health Director. All such reports shall be public records, posted on the website of the County government and made available for inspection at the offices of the Commissioner of Health or Public Health Director and the County Executive at all reasonable times. The Board of Health shall also advise and consult with respect to all capital projects necessary for the Department of Health. The Board of Health shall have and exercise such other and related

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41. Editor's Note: See Charter § C-42.

*duties required by the Legislature or the County Executive.*

- C. The Board of Health shall keep minutes of all meetings, including the date and time of meeting and Board members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Board meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Board's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each Board member on each item.
- D. Sanitary Code. Any Sanitary Code now in force or hereafter adopted by the Board of Health and any amendment to such Sanitary Code shall be published and filed in the manner and places required by the Public Health Law and any other applicable law. Before adopting any amendment to the Sanitary Code, the Board of Health shall cause notice of a public hearing thereon to be published in the official news papers once a week for two publications, and at least 20 days shall elapse from the first publication to the date of the hearing. The notice shall contain an abstract statement of the proposed amendment and give the time and place of such hearing. On or before the date of the first publication of the proposed amendment, copies thereof shall be filed with the Clerk of the Legislature, the County Executive, the Clerk of each city, town and village in Ulster County and in the office of the Commissioner of Health or Public Health Director and be open to inspection by the public. Such County Sanitary Code and any amendments thereto shall also be filed in the Ulster County Clerk's office.

**§ A5-4. Medical Examiner.** <sup>42</sup>

*The Health Department shall assure the provision of medical examiner services that promote the public health by or under the supervision of qualified Medical Examiner(s), accountable to the Commissioner of Public Health or Public Health Director. The Medical Examiner shall be appointed by the County Executive, on the advice of the Commissioner of Health or Public Health Director, for a term of four years, subject to confirmation by the Legislature. The Medical Examiner shall be a resident of the County of Ulster. He or she shall be a physician duly licensed to practice his or her profession in the State of New York and shall:*

- A. *Be trained to investigate causes of death and order autopsies.*
- B. *Conduct community education as prescribed by the New York State Department of Health.*
- C. Perform all duties which are now required, or which hereafter may be required by law, of the Medical Examiner. In addition thereto, the Medical Examiner shall perform such additional and related duties involving the exercise of professional skills and training as may be prescribed by the County Executive and District Attorney.

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42. Editor's Note: See Charter § C-43.

- D. Keep such records and reports as are required by the provisions of § 677 of the County Law. Such records shall be open to inspection by the District Attorney of the County at any time and to other persons as provided for in § 677, Paragraph 3(B), of the County Law.

ARTICLE VI  
**Department of Mental Health**

**§ A6-1. Commissioner of Mental Health.** <sup>43</sup>

- A. *There shall be a Department of Mental Health, headed by a Commissioner of Mental Health. The Commissioner of Mental Health shall be experienced in public mental health administration and meet the qualifications for this position as specified in the New York State Mental Hygiene Law and/or by the State Commissioner of Mental Hygiene. He or she shall be appointed by the County Executive in consultation with the Community Services Board and with confirmation by the County Legislature and serve at his or her pleasure.*
- B. *Powers and duties. Except as otherwise provided in the Charter, the Commissioner of Mental Health shall have and exercise all the powers and duties conferred or imposed upon a Director of Community Mental Health or Community Services Board by the Mental Hygiene Law or any other law. He or she shall perform such other and related duties required by the County Executive.*
- C. **Reports.** On or before March 1 of each year, the Commissioner of Mental Health shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year covering generally the work of his or her department. The Commissioner shall make such other reports at such times as may be required by the County Legislature, County Executive, Mental Hygiene Law or any applicable law and the New York State Department of Mental Hygiene. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A6-2. Deputy Commissioner of Mental Health.**

- A. The Commissioner of Mental Health shall have the power to appoint one or more Deputy Commissioners of Mental Health, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive in the County's civil service rules, appointed hereunder, shall coincide with that of the Commissioner of Mental Health, provided that such appointment may be revoked at any time by the Commissioner by written revocation filed with the County Clerk. All positions of Deputy Commissioner may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Commissioner for a department staff member.

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43. Editor's Note: See Charter § C-44.

- C. Deputy Commissioners shall perform such duties pertaining to the office of the Department of Mental Health as the Commissioner may direct and shall act generally for and in such place of the Commissioner and perform such other and further duties as the Commissioner may assign.
- D. The designation of an order of succession for the position of Deputy Commissioner shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner filing a new written designation of order of succession.

**§ A6-3. Community Services Board.** <sup>44</sup>

- A. *There shall be a Community Services Board of 15 members who have demonstrated interest in behavioral health services, one member of which must be a licensed physician and one of whom must be a licensed physician or licensed psychologist. There shall be disability subcommittees of nine members each, three members of which must also be currently serving Community Service Board members, who shall be appointed by the County Executive after consideration of the recommendations of the Community Services Board for terms of four years, subject to confirmation by the Legislature. No Board member or subcommittee member shall serve more than eight years, unless he or she may have filled any unexpired term immediately prior thereto. The Chairman of the Community Services Board shall be selected by the members of the Board for a term of one year. Members of the Community Services Board shall be residents of Ulster County.*
- B. Powers and duties. The Community Services Board shall exercise all the powers and perform duties of local boards as provided for under state law, including the Mental Hygiene Law of the State of New York, except as otherwise noted in the Charter. *The Board shall advise the Commissioner of Mental Health, the County Executive and the Legislature on matters relating to the Department of Mental Health. The members of the Board shall further have the power to inspect and review all facilities and programs of the Department of Mental Health, with or without notice to the Commissioner of Mental Health, and may report and make recommendations to the County Executive, County Legislature and Commissioner of Mental Health. All such reports shall be deemed public records, posted on the website of the County government, and be available for inspection at the office of the Department of Mental Health and the County Executive at all reasonable times. The Board shall also advise and consult with respect to all capital projects necessary for the Department of Mental Health. The Board shall have and exercise such other and related duties required by the Legislature or the County Executive.*
- C. The Community Services Board shall keep minutes of all meetings, including the date and time of meeting and Board members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Board meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her

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44. Editor's Note: See Charter § C-45.

designee shall maintain an official record of the Board's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each Board member on each item.

- D. *If a vacancy shall occur other than by expiration of a term, it shall be filled by the County Executive for the balance of the term in the same manner as the original appointment.*
- E. *Members of the Community Services Board shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.*

## ARTICLE VII Department of Planning

### **§ A7-1. Appointment of Director of Planning.** <sup>45</sup>

*There shall be a Department of Planning, headed by a Director of Planning. The County Executive shall appoint the Director of Planning from among three nominees given him or her by the Ulster County Planning Board, subject to confirmation by the Legislature. The Planning Board may nominate only persons possessed of at least the minimum educational attainments, professional qualifications and administrative experience set out in New York State law. In the event that the County Planning Board fails to bring forward to the County Executive three recommendations for the position within 90 days of the occurrence of a vacancy, the County Executive shall make the appointment on his or her own initiative, subject to confirmation by the Legislature. The Director of Planning shall serve at the pleasure of the County Executive.*

### **§ A7-2. Powers and duties of Planning Board and Director.** <sup>46</sup>

*Except as may otherwise be provided in the Charter, the County Director of Planning and Planning Board shall have all the powers and perform all the duties conferred and/or imposed in the Charter, state law or the County Administrative Code upon a county director of planning or a county planning board. The Director of Planning and/or the County Planning Board shall perform such other and related duties as required by the County Executive or County Legislature. These powers shall include, but not be limited to:*

- A. *Advising the County Executive, County Legislature, County departments, and other agencies with respect to any matter relating to the development or redevelopment of the County on which an opinion is requested or upon which the Director of Planning deems it advisable to report;*
- B. *Preparing and maintaining a Comprehensive Plan and annual planning program for the County as set forth in § C-52 of the Charter and attendant provisions of the*

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45. Editor's Note: See Charter § C-46.

46. Editor's Note: See Charter § C-47.



*Administrative Code;*

- C. *Assisting in the preparation of a capital improvement program as may be set forth in the Charter and attendant provisions of the Administrative Code;*
- D. *Exercising the powers of review and approval over land use pursuant to § C-51 of the Charter and attendant provisions of the Administrative Code;*
- E. *Making available, within constraints of available resources, the professional staff of the Department of Planning for advice regarding planning to the City of Kingston and the towns and villages within the County;*
- F. *Maintaining basic data on the County's population, land use, housing, environmental status, human and natural resources and other such matters and performing studies, analysis, plans and recommendations as may be necessary in the exercise of the powers and performance of the duties set forth in this article; and*
- G. *Acting as host board with regard to the Ulster County Transportation Council.*

**§ A7-3. Additional duties of Director of Planning.**<sup>47</sup>

*The Director of Planning shall:*

- A. *Exercise the duties and responsibilities accorded him or her under the bylaws adopted by the County Planning Board;*
- B. *Serve ex officio on the County Environmental Management Council;*
- C. *Serve ex officio on the County Agricultural Farmland Protection Board;*
- D. *Act as liaison between County agencies and nonprofit bodies involved in economic and community development for which the County provides funding; and*
- E. Reports. On or before March 1 of each year, the County Planning Board shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year covering generally the work of the department. The Commissioner or Director shall make such other reports at such times as may be required by the County Legislature, County Executive or any other applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A7-4. Deputy Director of Planning.**

- A. The Director of Planning shall have the power to appoint one or more Deputy Directors of Planning, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive in the County's civil

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47. Editor's Note: See Charter § C-48.

service rules, appointed hereunder, shall coincide with that of the Director of Planning, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. All positions of Deputy Director shall be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.

- C. Deputy Directors shall perform such duties pertaining to the office of the Department of Planning as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

**§ A7-5. County Planning Board.** <sup>48</sup>

- A. *There shall be a County Planning Board consisting of 25 members and associated alternate members. Members and their alternates shall be appointed by the County Legislature to serve for four-year terms. The Town Board or Village Board of each town and village in Ulster County shall recommend for consideration and appointment by the Legislature one person and one alternate from that town or village. The City of Kingston shall recommend for consideration and appointment by the Legislature two persons and two alternates from that city. The County Commissioner of Finance, the Commissioner of Public Works, and the Chairman of the Environmental Management Council shall serve ex officio but shall not have voting rights. Vacancies occurring other than by expiration of term shall be filled for the balance of the term remaining in the same manner and by the same appointing authority as the original appointment. The Chairman of the Planning Board shall be selected by the Board from among members nominated by the city, towns, and villages and shall serve a one-year term. If the number of municipalities in Ulster County is reduced or increased, the membership of this Board shall be concomitantly reduced or increased, with members proposed and appointed in the manner described in this section.*
- B. *An alternate member shall have the right to vote only on the occasion of absence, conflict of interest, or required abstention under law of the member for whom he or she serves as alternate.*
- C. *Continuation of Board.*
  - (1) *The terms of existing County Planning Board members shall remain in effect until such time as the member is either reappointed or the term of the member ends; and*

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48. Editor's Note: See Charter § C-49.

- (2) *The term of office of each member of the Ulster County Planning Board, so appointed, shall be for a period of four years and the appointment of a successor to any member of the County Planning Board shall also be for a term of four years, except that an appointment to fill a vacancy in the office of a member of said County Planning Board occurring by reason of death, resignation or other cause shall be made for the unexpired term of said office.*
- D. *The members of the Planning Board shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within appropriations made available for this purpose. The Planning Board may adopt, by a majority vote of its total membership, such additional rules and procedures as are necessary for the efficient and orderly conduct of its business.*
- E. *The County Planning Board shall keep minutes of all meetings, including the date and time of meeting and Board members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Board meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Board's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each Board member on each item.*

**§ A7-6. Additional powers and duties of Planning Board.** <sup>49</sup>

The Planning Board shall have the following additional powers and duties:

- A. *To consult with and advise the Director of Planning in the performance of his or her duties.*
- B. *To review the capital improvement program prepared by the Department of Planning and guidelines for its preparation; to make written recommendations to the County Executive and the County Legislature on all capital projects contained in the program and on the priority of capital projects in the first year of the program; and to review and make written recommendations on any capital project additions to the capital improvement program or capital budget.*
- C. *To review the Comprehensive Plan and to submit its recommendations on it to the County Executive and to make recommendations on any proposed amendments to that plan prior to action being taken on such amendments by the County government and to review procedural guidelines for the coordination and preparation of the Comprehensive Plan and annual planning program.*
- D. *To conduct studies and review County policies and standards for inclusion in the Comprehensive Plan and to make recommendations regarding such policies and standards to the County Executive and Legislature as it sees fit.*
- E. *To have all the powers and duties assigned to a county planning board under*

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49. Editor's Note: See Charter § C-50.

*Article 12-B of the General Municipal Law.*

**§ A7-7. Review and approval over land use.** <sup>50</sup>

- A. *Review of land use and subdivisions. Except as may otherwise be provided in the Charter, the County Planning Board shall possess, exercise and perform all of the powers, functions and duties granted to and imposed upon a county planning board under and pursuant to Article 12-B of General Municipal Law as the same may be amended from time to time.*
- B. *Advisory review on land use. The County Planning Board shall have the power to review, with the right to render advisory reports only, over land use and land subdivision elsewhere in Ulster County in accordance with General Municipal Law Article 12-B.*
- C. *Advisory reviews on actions by County departments and other County agencies. Before adopting any final plans, policies or standards on services or capital facilities and before making any recommendation to the County Legislature on any such plans, policies or standards, on the acquisition or sale of land, on major changes in the use of land or on site plans for any County building or buildings, the respective County department or other County agencies shall refer such proposals to the Director of Planning for a written report of his or her recommendations. The Director of Planning shall prepare and submit his or her recommendation to the respective department and the County Executive.*

**§ A7-8. Comprehensive Plan and annual planning program.** <sup>51</sup>

- A. *Comprehensive Plan required. The County shall have and maintain an official plan for the comprehensive social, physical, environmental and economic development of the County, focusing primarily on the services, functions and responsibilities of County government with consideration of regional needs and the official plans of other governmental units and agencies within the County. The contents of the plan may include but shall not be limited to those areas contained in Article 12-B of the General Municipal Law, § 239-d. The County Planning Board shall cause such plan to be developed in conjunction with the County Executive, who shall submit this plan or any of its elements or parts for adoption by the County Legislature. The contents of this plan shall be set forth in the Administrative Code and posted on the County website. The procedures for the preparation, submission and adoption of this plan, and/or any amendments to it, shall be in accordance with General Municipal Law § 239-d.*
- B. *Intent of Comprehensive Plan. The Comprehensive Plan is intended to serve as a guide for achieving the broad social, physical, environmental and economic development objectives of the County. The plan is intended to give direction to the actions of the County Legislature, and of all County departments and agencies that*

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50. Editor's Note: See Charter § C-51.

51. Editor's Note: See Charter § C-52.

*affect the development of the County, and is intended to guide all official County plans and policies concerning human resources, public safety services, physical and environmental resources and land use. Although the authority of the plan over the actions of local governments and private interests is limited to the authority set forth in General Municipal Law § 239-d, the plan is intended to serve as general guide to these actions as they affect the development of the County. The plan, through its development and continuing amendment, is intended to serve as a means for reviewing, modifying and integrating all plans of local governments and private entities.*

- C. *Adoption. The County legislative body may adopt by resolution a County Comprehensive Plan or any amendment thereto.*
- D. *Filing of adopted County Comprehensive Plan. The adopted County Comprehensive Plan and any amendments thereto shall be filed in the office of the County Clerk and a copy thereof filed in the office of the County Planning Board, with the Secretary of State, as well as with the Clerk of each municipality within the County.*
- E. *Effect of adoption.*
  - (1) *All County land acquisitions and public improvements, including those identified in the County Official Map adopted or amended pursuant to this article, shall be in accordance with a County Comprehensive Plan, if one exists; and*
  - (2) *All plans for capital projects of a municipality or state governmental agency on land included in the County Comprehensive Plan adopted pursuant to this section shall take such plan into consideration.*
- F. *Periodic review. The County legislative body shall provide, as a component of such proposed County Comprehensive Plan, the maximum intervals at which the adopted plan shall be reviewed.*

**ARTICLE VIII  
Department of Finance**

**§ A8-1. Commissioner of Finance.** <sup>52</sup>

- A. *There shall be a Department of Finance under the direction of a Commissioner of Finance. The Commissioner of Finance shall be appointed by and serve at the pleasure of the County Executive, subject to confirmation by the County Legislature. He or she shall be appointed on the basis of his or her experience and qualifications in financial administration and other specified duties of this office and shall be directly responsible to the County Executive.*
- B. *Powers and duties. The Commissioner of Finance shall be the chief fiscal officer of the County. Except as may otherwise be provided in the Charter, he or she shall:*

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52. Editor's Note: See Charter § C-53.

- (1) *Have charge of the administration of all the financial affairs of the County;*
- (2) Have access to all source documents from any and all financial institutions at all times; and he or she shall have the authority to request such documents directly from those financial institutions;
- (3) *Collect, receive, have custody of, deposit, invest and disburse all revenues, fees and other funds of the County or for which the County is responsible;*
- (4) Conduct the sale of all bonds pursuant to the provisions of the Local Finance Law, and shall keep a record of all indebtedness, bonded or otherwise, of the County;
- (5) *Act as the enforcing officer of the County for the purpose of the collection of tax liens on real property pursuant to Article 11 of the Real Property Tax Law of the State of New York;*
- (6) *Have all the powers and duties conferred upon a public administrator pursuant to the Surrogate's Court Procedure Act of the State of New York, except that any and all fees received in the performance of such duties shall be the property of the County of Ulster; and all costs and expenses associated therewith shall first be an expense of the estate, and then shall be an expense of the County;*
- (7) *Perform all duties specified in law for county treasurers or other county officers relating to the collection and/or extension of taxes;*
- (8) *Submit a complete statement of County finance for the prior calendar year to the County Executive and the County Legislature on or before the first day of March or at a later time in the event that an extension is authorized by the State Comptroller, and at such other times as either may require;*
- (9) Prepare and submit to the County Executive annually, on such date and on such forms as the County Executive may prescribe, such information as is required in preparation of the tentative County budget;
- (10) Prepare and authorize payroll with appropriate certification;
- (11) Report on an annual basis and maintain accounting of the inventory of the County; and
- (12) *Have all the powers and perform all the duties conferred or imposed by law upon a county commissioner of finance and perform such other duties required by the County Executive or County Legislature.*

**§ A8-2. Transition.** <sup>53</sup>

*The person serving as County Treasurer immediately prior to the time the Charter takes effect shall serve as Commissioner of Finance until the end of December 31, 2009, at*

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53. Editor's Note: See Charter § C-54.

*which time the elected office of County Treasurer shall be abolished, and after which the Commissioner of Finance shall be appointed as provided herein.*

**§ A8-3. Deputy Commissioner of Finance.**

- A. The Commissioner of Finance shall have the power to appoint one or more Deputy Commissioners of Finance, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy appointed hereunder shall coincide with that of the Commissioner of Finance, provided that such appointment may be revoked at any time by the Commissioner by written revocation filed with the County Clerk. Positions of Deputy Commissioner may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Commissioner for a department staff member.
- C. Deputy Commissioners shall perform such duties pertaining to the office of the Department of Finance as the Commissioner may direct and shall act generally for and in such place of the Commissioner and perform such other and further duties as the Commissioner may assign.
- D. The designation of an order of succession for the position of Deputy Commissioner shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner filing a new written designation of order of succession.

**§ A8-4. Acting Commissioner of Finance.** <sup>54</sup>

*The Commissioner of Finance, subject to approval by the County Executive, shall designate in writing, and in order of succession, the deputies and/or assistants who shall be Acting Commissioner of Finance in the event of his or her absence from the County or inability to perform and exercise the powers and duties of his or her office. That designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner filing an approved new written designation and order of succession. The Acting Commissioner of Finance shall have all the powers and perform all the duties of the Commissioner.*

**§ A8-5. Conflict of Interest.**

The Commissioner of Finance shall not be an officer, director or stockholder of any depository or depositories designated by the County Executive pursuant to § C-25J of the Charter, nor any business proposing to supply equipment, supplies, materials or service to the County.

**§ A8-6. Bond of Commissioner of Finance.**

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54. Editor's Note: See Charter § C-55.

The Commissioner of Finance, and such of his or her deputies, officers and employees as the County Legislature or the County Executive shall require, shall file a surety bond to the County in a sum fixed by the County Legislature conditioned for the faithful performance of his or her duties. Such bond shall be approved as to form by the County Attorney and as to sufficiency of surety by the County Executive, and shall be filed with the County Clerk. It shall be a charge on the County.

**§ A8-7. Seal of Commissioner of Finance.**

The Seal of the County of Ulster shall be the Seal of the Commissioner of Finance. Such Seal shall be used for all authorized and required purposes.

**ARTICLE IX  
Comptroller**

**§ A9-1. Election; term; qualifications.** <sup>55</sup>

*There shall be a Comptroller, who shall be elected from the County at large in the first even-numbered year following the adoption of the Charter for a term of two years, and in the second even-numbered year following the adoption of the Charter for a term of three years, and thereafter in the first odd-numbered year and each subsequent odd-numbered year in which a County Executive is not chosen for a term of four years beginning with the first day of January next following his or her election. At the time of his or her nomination and election, and throughout his or her term of office, the Comptroller shall be and remain a qualified elector of Ulster County.*

**§ A9-2. Powers and duties.** <sup>56</sup>

*The Comptroller shall be the chief accounting and auditing officer of the County. Except as may otherwise be provided in the Charter, he or she shall:*

- A. *Examine, audit, and verify all books, records, and accounts kept by the various administrative units, offices and officials paid from County funds, institutions and other agencies of the County, including bond and note registers and trust accounts, and the accrual and collection of all County revenues and receipts, and for this purpose have access to all such books, records, and accounts at any time;*
- B. *Procure from the depositories with which the Commissioner of Finance shall have deposited the funds and monies coming into the Comptroller's possession statements, at least monthly, of all monies deposited by the Commissioner of Finance or paid out pursuant to the Comptroller's order, and reconcile such statements with the County accounts;*
- C. *Maintain records of appropriations, encumbrances and expenditures, and prescribe approved methods of accounting for all units of County government, unless otherwise required by the State Comptroller;*

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55. Editor's Note: See Charter § C-56.

56. Editor's Note: See Charter § C-57.



- D. *Certify the availability of funds for all requisitions, contracts, purchase orders and other documents by which the County incurs financial obligations or for the expenditure of funds for which the County is responsible;*
- E. *Prescribe the form of receipts, vouchers, bills and claims, unless otherwise required by the State Comptroller;*
- F. *Audit and certify for payment all lawful claims or charges against the County, whether for payroll or otherwise, or against funds for which the County is responsible in whole or in part;*
- G. *As he or she determines necessary or appropriate, audit any department, program or function of County government to assess the degree to which its operation is economical, efficient and/or effective;*
- H. *For the purpose of carrying out his or her powers and duties, have the power to require the attendance of and take the testimony under oath of such persons as the Comptroller may deem necessary;*
- I. *Submit to the County Legislature and County Executive and post on the County website as frequently as he or she deems necessary, but at least quarter-annually, reports on the financial condition of the County and the economy, efficiency and/or effectiveness with which the County government or any of its departments, agencies or programs is managed;*
- J. *Have all the powers and perform all the duties conferred or imposed by law upon a County comptroller, and perform such other related duties required by the County Executive or County Legislature; and*
- K. *The Comptroller, within appropriations provided therefor, shall have the power to engage such expert accountants and consultants as may be necessary to perform and carry out the functions and duties of his or her office.*

**§ A9-3. Deputy Comptrollers and staff.** <sup>57</sup>

*The Comptroller shall have the power to appoint such Deputy Comptrollers, assistants and employees in his or her office as shall be authorized by the County Legislature. All such appointees shall be qualified by education and/or experience and shall be directly responsible to, and serve at the pleasure of, the Comptroller, subject to applicable law.*

**§ A9-4. Acting Comptroller.** <sup>58</sup>

*The Comptroller shall designate in writing, and in order of succession, the Deputy Comptrollers and assistants who shall be Acting Comptroller in the event of his or her absence from the County or inability to perform and exercise the powers and duties of this office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Comptroller filing a new*

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57. Editor's Note: See Charter § C-58.

58. Editor's Note: See Charter § C-59.

*written designation and order of succession. The Acting Comptroller shall have all the powers and perform all the duties of the Comptroller.*

**§ A9-5. Vacancy.** <sup>59</sup>

- A. *Intent. The intent of this section is to ensure that a vacancy in the County-wide elected office of the Comptroller is filled by popular election as expeditiously as possible.*
- B. *Vacancy filled by County Legislature. If a vacancy occurs in the office of the Comptroller of Ulster County for any reason other than the expiration of a term, the County Legislature shall fill this office ad interim by the appointing of a person fully qualified by law to hold that office by a majority of its full number at its next regularly scheduled session held no sooner than two weeks after the vacancy occurs.*
- C. *Appointee to serve on interim basis. A person appointed by the Legislature in this manner to fill an office ad interim shall serve until the end of the 31st day of December following the first election day at which a popular election may be held under law to fill this position.*
- D. *Election; person to serve for duration of unexpired term. The person chosen at popular election, held as soon as practicable on a general election day under state law to fill a vacancy in the position of the Comptroller of Ulster County, shall serve for the duration of the unexpired term of the office.*

**§ A9-6. Bond of Comptroller.**

The Comptroller, and such of his or her deputies, officers and employees as the County Legislature or the County Executive shall require, shall file a surety bond to the County in a sum fixed by the County Legislature conditioned for the faithful performance of his or her duties. Such bond shall be approved as to form by the County Attorney and as to sufficiency of surety by the County Executive, and shall be filed with the County Clerk. It shall be a charge on the County.

ARTICLE X  
**Department of Personnel**

**§ A10-1. Personnel Director.** <sup>60</sup>

- A. *There shall be a Department of Personnel, headed by a Personnel Director. The Personnel Director shall be the personnel officer for the County of Ulster. The Personnel Director shall be appointed by the County Executive in accord with requirements of education, experience, and other qualifications set out in state law, and subject to confirmation by the County Legislature, except that if the Personnel Director is appointed for a fixed term of years pursuant to a provision of state law,*

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59. Editor's Note: See Charter § C-60.

60. Editor's Note: See Charter § C-61.

*he or she may only be removed for cause, after written notice of charges and an opportunity to be heard.* The Personnel Director shall be a resident of Ulster County.

- B. *Powers and duties. The Personnel Director shall develop and administer a personnel program for the County, be the principal liaison with employee labor unions, advise the County Executive in collective bargaining, and have and exercise all the powers and duties as provided in the Civil Service Law for a personnel officer in this state and all the powers and duties conferred or imposed upon him or her by any other law. He or she shall also perform such other and related duties required by the County Executive.*
- C. Reports. On or before March 1 of each year, the Personnel Director shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Personnel Director shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature, the County Executive and the State Civil Service Commission.

**§ A10-2. Deputy Personnel Director.**

- A. The Personnel Director shall have the power to appoint one or more Deputy Personnel Directors, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Personnel Director, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the Department of Personnel as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

ARTICLE XI  
**Department of Social Services**

**§ A11-1. Commissioner of Social Services.** <sup>61</sup>

- A. *There shall be a Department of Social Services under the direction of a Commissioner of Social Services, who shall be appointed by the County Executive, subject to confirmation by the County Legislature. He or she shall be appointed on the basis of his or her professional experience and other qualifications for the responsibilities of his or her office. The Commissioner shall be appointed in accordance with the provisions of § 116 of the Social Service Law of the State of New York or other provisions of law relating to the appointment of such commissioner. He or she shall also be a resident of Ulster County. He or she shall be directly responsible to and serve at the pleasure of the County Executive, except that if the Commissioner of Social Services is appointed for a fixed term of years pursuant to a provision of state law, he or she may only be removed for cause, after written notice of charges and an opportunity to be heard.*
- B. *Powers and duties. Except as may otherwise be provided in the Charter, the Commissioner shall manage and/or supervise all social services institutions and facilities owned or operated by the County. In addition, he or she shall have all the powers and perform all the duties conferred or imposed by the New York State Social Services Law or any other law upon a county commissioner of social services and perform such other related duties required by the County Executive or County Legislature.*
- C. **Reports.** On or before March 1 of each year, the Commissioner of Social Services shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Commissioner shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.
- D. **Accounting for moneys.** All moneys to which the Social Services Department may be entitled under and by virtue of the laws of the State of New York, or which the Commissioner may receive for services performed by his or her department, shall belong to said department and shall be collected by such Commissioner, accounted for and paid over to the Commissioner of Finance by a written statement within 10 days after the expiration of each month. Each monthly statement shall have attached thereto a certification by said Commissioner to the effect that the same is in all respects a full and true statement of all such moneys received by him or her for the preceding month. The Commissioner of Social Services shall pay to the Commissioner of Finance all moneys received by him or her which are reportable to or receivable by the County as soon as practicable or as may be required by the Commissioner of Finance, but in no event less than once weekly.

**§ A11-2. Deputy Commissioner of Social Services.**

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61. Editor's Note: See Charter § C-62.

- A. The Commissioner of Social Services shall have the power to appoint one or more Deputy Commissioners of Social Services, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Commissioner of Social Services, provided that such appointment may be revoked at any time by the Commissioner by written revocation filed with the County Clerk. Positions of Deputy Commissioner may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Commissioner for a department staff member.
- C. Deputy Commissioners shall perform such duties pertaining to the office of the Department of Social Services as the Commissioner may direct and shall act generally for and in such place of the Commissioner and perform such other and further duties as the Commissioner may assign.
- D. The designation of an order of succession for the position of Deputy Commissioner shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner filing a new written designation of order of succession.

**§ A11-3. Bond of Commissioner of Social Services.**

The Commissioner of Social Services, and such of his or her deputies, officers and employees as the County Legislature or the County Executive shall require, shall file a surety bond to the County in a sum fixed by the County Legislature conditioned for the faithful performance of his or her duties. Such bond shall be approved as to form by the County Attorney and as to sufficiency of surety by the County Executive, and shall be filed with the County Clerk. It shall be a charge on the County.

**ARTICLE XII  
Department of Public Works**

**§ A12-1. Commissioner of Public Works.** <sup>62</sup>

- A. *There shall be a Department of Public Works, headed by a Commissioner of Public Works who shall be appointed on the basis of his or her experience and qualifications for office by the County Executive to serve at his or her pleasure, subject to the confirmation by the County Legislature.*
- B. *Powers and duties. Except as otherwise provided in the Charter, the Administrative Code or state law, the Commissioner of Public Works shall:*
  - (1) *Have all powers and duties of a county engineer and a county superintendent of highways, pursuant to the Highway Law or other applicable law;*

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62. Editor's Note: See Charter § C-63.

- (2) *Have such powers and duties in relation to County facilities for drainage, flood control, sanitation, sewage, or water supply as may be prescribed by the County Legislature;*
  - (3) *Furnish engineering and other services to the County Legislature, County Executive, the Department of Planning and other County departments as authorized;*
  - (4) *Have charge of and have the duty of performing such other functions concerning County real and personal property, public works and other matters as the County Executive and Legislature may, from time to time, direct;*
  - (5) *Have charge and supervision of routine maintenance and repair of equipment, storage buildings and facilities used by the department, including highway substations, and all parking areas serving these facilities;*
  - (6) *Have charge and supervision of the design, construction and alteration of the County buildings, parking fields and lots, drives, walks, preserves, beaches, and other public structures and facilities under the jurisdiction of the County;*
  - (7) *Have charge and supervision of maintenance, repair and alteration of buildings owned or leased by the County, parking fields and lots, drives, walks, preserves, beaches and other public structures and facilities under the jurisdiction of the County, including custodial care; and*
  - (8) *Except as otherwise provided in the Charter and subject to the requirements of state law, have the authority to appoint and remove all officers and employees of the Department of Public Works.*
- C. Reports. On or before March 1 of each year, the Commissioner of Public Works shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Commissioner shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A12-2. Deputy Commissioner of Public Works.**

- A. The Commissioner of Public Works shall have the power to appoint one or more Deputy Commissioners of Public Works within the limits of appropriations therefor. Every appointment of a Deputy shall be in writing, filed and recorded in the Office of the County Clerk and Clerk of the Legislature.
- B. The term of Office of any Deputy appointed hereunder shall coincide with that of the Commissioner of Public Works, provided that any such appointment may be revoked at any time by the Commissioner of Public Works by written revocation filed with the County Clerk. Positions of Deputy Commissioner may be in the exempt class of the civil service; or in the alternative, the deputy may also be an

additional title which may be designated by the Commissioner for a department staff member.

- C. Deputy Commissioners of Public Works shall perform such duties pertaining to the Office of Public Works as the Commissioner of Public Works may direct and shall act generally for and in place of the Commissioner and perform such other and further duties as the Commissioner may assign and direct.
- D. If there be but one Deputy Commissioner of Public Works, he or she shall be the First Deputy Commissioner of Public Works. If more than one Deputy Commissioner of Public Works is appointed, the County Commissioner of Public Works shall designate one of them as First Deputy Commissioner of Public Works in a writing filed in the Office of the County Clerk and the Clerk of the Legislature.
- E. The Commissioner of Public Works may, with the approval of the County Legislature, set up and establish appropriate divisions of the Department of Public Works as well as the responsibilities thereof and name a Deputy to head any such division.

**§ A12-3. Acting Commissioner of Public Works.** <sup>63</sup>

- A. *Subject to approval by the County Executive, the Commissioner of Public Works shall specify in writing, and in order of succession, the Deputy Commissioner or Deputy Commissioners and/or other assistants who shall be Acting Commissioner of Public Works in the event of his or her absence from the County or inability to perform and exercise the powers and duties of his or her office. This specification shall be filed with the County Clerk and the Clerk of the Legislature and may be revoked at any time by the Commissioner filing an approved new written designation and order of succession.*
- B. *The designated Deputy Commissioner of Public Works shall be Acting Commissioner of Public Works in the event of the Commissioner's absence from the County or inability to perform and exercise the powers and duties of the office for no more than 30 days. If the absence or inability of the Commissioner of Public Works shall extend for over 30 days or in the event there is no designated deputy, an Acting Commissioner of Public Works shall be appointed by the County Executive, subject to the County Legislature's confirmation, for a period not to exceed a total of 180 days in addition to the initial thirty-day period, or for the entire two-hundred-ten-day period as appropriate. If the inability of the Commissioner of Public Works shall extend over 210 days, the County Executive, subject to County Legislature confirmation, shall appoint a Commissioner of Public Works. An Acting Commissioner of Public Works shall file his or her designation and oath of office as such with the County Clerk.*
- C. *An Acting Commissioner of Public Works shall have all the powers and duties of the Commissioner during the period of his or her designation and until his or her successor shall be appointed and qualified under this section or until a new*

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63. Editor's Note: See Charter § C-64.

*Commissioner of Public Works is appointed and qualified pursuant to law.*

**§ A12-4. Engineering Division.** <sup>64</sup>

*There shall be an Engineering Division within the Department of Public Works staffed by licensed mechanical and structural engineers, responsible to the Commissioner of Public Works and under his or her supervision, charged with planning, supervision and oversight of construction and rehabilitation projects for all County highways, structures, water, sewer and flood control projects and other County facilities.*

**§ A12-5. Administration Division.**

There shall be an Administration Division within the Department of Public Works, the head of which may be either a Deputy or Controller who acts as an assistant to the Commissioner of Public Works and supervises the management of department fiscal affairs. This position is also responsible for the preparation of the annual departmental budget and in the formulation of capital project improvement programs. The work is performed under the general direction of the Commissioner of Public Works with considerable leeway allowed for the exercise of independent judgment and initiative in work methods. Supervision is exercised over departmental administrative-support staff. He or she shall do related work as required.

**§ A12-6. Highways and Bridges Division.**

There shall be a Highways and Bridges Division within the Department of Public Works, the head of which may be either a Deputy or Highways and Bridges Field Operations Manager who acts as an assistant to the Commissioner of Public Works and supervises and directs the County road, bridge and park maintenance, repair and construction operations. This position is also responsible for providing analysis of departmental needs, interdepartmental activities and the overall scheduling of projects. The work is performed under the general direction of the Commissioner of Public Works with considerable leeway allowed for the exercise of independent judgment and initiative in work methods. Supervision is exercised over all field personnel engaged in road, bridge and park maintenance, repair and construction. He or she shall do related work as required.

**§ A12-7. Buildings and Grounds Division.**

There shall be a Building and Grounds Division within the Department of Public Works, the head of which may be either a Deputy or Buildings and Grounds Administrative Manager who acts as an assistant to the Commissioner of Public Works and supervises the operations of the Buildings and Grounds division. This position is also responsible for providing analysis of departmental needs, interdepartmental activities and the overall scheduling of projects. The work is performed under the general direction of the Commissioner of Public works with considerable leeway allowed for the exercise of independent judgment and initiative in work methods. Supervision is exercised over a large staff of maintenance, custodial and office personnel. He or she shall do related work

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64. Editor's Note: See Charter § C-65.



as required

**§ A12-8. Rules and regulations.** <sup>65</sup>

*The County Legislature shall have the power, by local legislation, to establish such rules and regulations as may be necessary to provide for use by the public of facilities under the jurisdiction of the Department of Public Works and to provide for the enforcement thereof.*

ARTICLE XIII  
**Department of Public Transportation**

**§ A13-1. Director of Public Transportation.** <sup>66</sup>

- A. *There shall be a Department of Public Transportation, headed by a Director who shall be appointed by the County Executive on the basis of his or her experience and qualifications for office to serve at the pleasure of the County Executive, subject to confirmation by the County Legislature.*
- B. *Powers and duties. The Director of Public Transportation shall have the charge and duty of performing the following functions concerning the transit system and other modes of transportation as the County Executive may direct:*
- (1) *Operate and manage a bus transit system, hereinafter referred to as the "Ulster County Area Transit System," for the County of Ulster;*
  - (2) *Direct the administration of a public transportation system for residents in rural areas, determining the staffing, material and resource requirements on the basis of the functional plan of operation of the Ulster County Area Transit System (UCAT);*
  - (3) *Direct the organization, maintenance, safety and use of UCAT resources for public transit use;*
  - (4) *Develop programs designed to provide safe, affordable public transit service to the rural inhabitants of Ulster County;*
  - (5) *Direct and coordinate the efforts of employees, and be responsible for the appointment of staff;*
  - (6) *Ensure that employees adhere to all bus operation safety guidelines in accordance with all federal, state, and local regulations;*
  - (7) *Develop and prepare the UCAT public transit budget;*
  - (8) *Maintain fiscal controls over County and grant funds concerning public transit and submit reports on a timely basis to the Ulster County Legislature and federal agencies in compliance with all regulatory requirements attached to*

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65. Editor's Note: See Charter § C-66.

66. Editor's Note: See Charter § C-67.

public transit funding;

- (9) Maintain records and prepare narrative and statistical reports of a written and verbal nature concerning public transit;
  - (10) Design and implement recruitment programs for UCAT employees;
  - (11) Be responsible for the preparation, submission and administration of all applications for state and federal grants for public transportation in the County;
  - (12) Represent the County in dealing with federal, state, town, village and regional transportation agencies;
  - (13) *Develop and maintain liaison with other governments, County government agencies, not-for-profit organizations and private carriers regarding the financing, planning, coordination and delivery of transit services to County residents;*
  - (14) *Have charge, supervision and custodial care of all vehicles, buildings and any other real or personal property relating to the Ulster County Area Transit System; and*
  - (15) *Have charge of and have the duty of performing other functions concerning the transit system and other modes of transportation as the County Executive and/or the County Legislature may from time to time direct.*
- C. Reports. On or before March 1 of each year, the Director of Public Transportation shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Public Transportation shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A13-2. Deputy Director of Public Transportation.**

- A. The Director of Public Transportation shall have the power to appoint one or more Deputy Directors of Public Transportation, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Public Transportation, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of the

Department of Public Transportation as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.

- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

**§ A13-3. Rules and regulations.** <sup>67</sup>

*The County Legislature shall have the power, by local legislation, to establish such rules and regulations as may be necessary to provide for the use of facilities and equipment under the jurisdiction of the Department of Public Transportation and to provide for their enforcement.*

ARTICLE XIV  
**County Attorney**

**§ A14-1. Appointment and qualifications.** <sup>68</sup>

*There shall be a County Attorney, who shall be appointed by and serve at the pleasure of the County Executive. The County Attorney shall, at the time of his or her appointment and at all times during his or her term of office, be a qualified elector of the County. He or she shall also have been duly admitted to the practice of law in this state and at all times during his or her term of office and shall devote his or her full working time to the duties of the office.*

**§ A14-2. Powers and duties.** <sup>69</sup>

A. *The County Attorney shall:*

- (1) *Be the sole legal advisor for the County;*
- (2) *Advise all County officers, departments, agencies and units in all County legal matters of a civil nature;*
- (3) *Prosecute or defend all actions or proceedings of a civil nature brought by or against the County;*
- (4) *Prepare all necessary legal papers and instruments pertaining to the County government, exclusive of the preparation of local laws, resolutions, legalizing acts or other legislation or memoranda and opinions in support thereof, which fall within the purview of the Counsel to the Legislature; and*
- (5) *Have all the powers and perform all the duties conferred or imposed by law*

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67. Editor's Note: See Charter § C-68.

68. Editor's Note: See Charter § C-69.

69. Editor's Note: See Charter § C-70.

*upon a county attorney, except as may be inconsistent with the Charter, and perform such other and related duties required by the Executive Branch of County government.*

- B. Reports. On or before March 1 of each year, the County Attorney shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The County Attorney shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A14-3. Assistant County Attorneys.** <sup>70</sup>

- A. *The County Attorney shall have the power to appoint Assistant County Attorneys as may be authorized by the County Legislature. All Assistant County Attorneys shall be duly admitted to practice law in the State of New York, shall be in the exempt class of civil service, and shall serve at the pleasure of the County Attorney.*
- B. The Assistant County Attorney shall perform such duties pertaining to the office as may be directed by the County Attorney.
- C. The Assistant, during the absence or inability of the County Attorney, shall perform the powers and duties of the office of County Attorney.
- D. In the event of a vacancy in the office of County Attorney, the Assistant shall perform the powers and duties of the County Attorney until a successor is appointed and has qualified.
- E. If more than one Assistant County Attorney shall be appointed, the County Attorney shall designate in writing and file in the office of the County Clerk and Clerk of the Legislature the order in which such Assistants shall exercise the powers and duties of the office in the event of a vacancy or the absence or inability of such County Attorney to perform the duties of the office.

**§ A14-4. Special counsel.** <sup>71</sup>

*The County Attorney shall have the power to retain special counsel where necessary and within appropriations made therefor by the County Legislature.*

ARTICLE XV  
**Department of Information Services**

**§ A15-1. Director of Information Services.** <sup>72</sup>

- A. *There shall be a Department of Information Services under the direction of the*

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70. Editor's Note: See Charter § C-71.

71. Editor's Note: See Charter § C-72.

72. Editor's Note: See Charter § C-73.

*Director of Information Services, who shall be appointed by the County Executive, subject to confirmation by the County Legislature, and serve at his or her pleasure. The Director of Information Services shall be appointed on the basis of his or her professional training and experience and other qualifications for the responsibilities of that office.*

**B. Powers and duties.**

- (1) *The Director of Information Services shall be the chief administrative officer of the department. Except as may otherwise be provided in the Charter, he or she shall have all the powers and perform all the duties conferred or imposed by law upon a county director of information services and shall perform such other related duties required by the County Executive or County Legislature.*
- (2) The Director of Information Services also shall have the charge and duty of performing the following functions concerning the information system as the County Executive may direct:
  - (a) Have charge and supervision of the processing of information and data within County government;
  - (b) Develop programs designed to provide accurate, sufficient and timely information for decision-making by all units of County government;
  - (c) Coordinate the organization, maintenance and use of equipment capable of providing information relating to the functions of County government; and
  - (d) Direct the administrative activities of the department.

**C. Reports.** On or before March 1 of each year, the Director of Information Services shall make an annual report to the County Legislature and the County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Information Services shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A15-2. Assistant Directors.**

- A. The Director of Information Services shall have the power to appoint one or more Assistant Directors within the limits of appropriations therefor.
- B. Assistant Directors shall perform such duties pertaining to the Department of Information Services as the Director may direct.

**§ A15-3. Deputy Director of Information Services.**

- A. The Director of Information Services shall have the power to appoint one or more Deputy Directors of Information Services, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County

Clerk and the Clerk of the Legislature.

- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Information Services, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of the Department of Information Services as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

ARTICLE XVI  
**Department of Purchasing**

**§ A16-1. Director of Purchasing.** <sup>73</sup>

- A. *There shall be a Department of Purchasing, headed by a Director of Purchasing who shall be appointed by the County Executive on the basis of his or her experience and qualifications for the office to serve at his or her pleasure, subject to confirmation by the County Legislature.*
- B. *Powers and duties. The Director of Purchasing shall:*
  - (1) *In accordance with the requirements for advertising and competitive bidding, authorize all purchases and sales of materials, supplies and equipment and contracts for the rental or servicing of equipment for the County;*
  - (2) *Approve and execute certain contracts as shall be prescribed by the Administrative Code:*
    - (a) The Director of Purchasing shall have the authority and discretion to extend existing contracts and execute same, as well as recurring types of services, including, but not limited to: New York State Office of General Services contracts, piggyback contracts, mandated/preferred source, sole-source, and utility contracts. The Director of Purchasing shall provide a report to be annexed to an abstract of contracts, for reporting purposes only, setting forth those contracts that he or she has executed, and a copy of which shall be filed with the County Executive and the Clerk of the Legislature.
    - (b) The Director of Purchasing shall review and approve all contracts as to

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73. Editor's Note: See Charter § C-74.

the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved for execution to the County Executive for all contracts under the amount of \$50,000. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § A3-4X of the Administrative Code.

(c) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved by the County Legislature for all contracts in the amount of \$50,000 or more. Upon approval of said abstract by the County Legislature, the Director of Purchasing shall present the abstract to the County Executive. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § A2-5A(15) of the Administrative Code.

(3) *Establish and enforce suitable specifications and standards for all supplies, materials and equipment to be purchased for the County; and*

(4) *Perform such other and related duties as shall be required and delegated by the County Executive or County Legislature, or as required pursuant to local, state and federal laws.*

C. Reports. On or before March 1 of each year, the Director of Purchasing shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Purchasing shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A16-2. Deputy Director of Purchasing.**

A. The Director of Purchasing shall have the power to appoint one or more Deputy Directors of Purchasing, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.

B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Purchasing, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.

C. Deputy Directors shall perform such duties pertaining to the office of the Department of Purchasing as the Director may direct and shall act generally for and

in such place of the Director and perform such other and further duties as the Director may assign.

- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

**§ A16-3. Bond of Director of Purchasing.**

The Director of Purchasing, and such of his or her deputies, officers and employees as the County Legislature or the County Executive shall require, shall file a surety bond to the County in a sum fixed by the County Legislature conditioned for the faithful performance of his or her duties. Such bond shall be approved as to form by the County Attorney and as to sufficiency of surety by the County Executive, and shall be filed with the County Clerk. It shall be a charge on the County.

ARTICLE XVII

**Real Property Tax Service Agency**

**§ A17-1. Director of Real Property Tax Service.** <sup>74</sup>

*There shall be a Real Property Tax Service Agency under the direction of a Director of Real Property Tax Service, who shall be appointed by the County Executive subject to confirmation by the County Legislature and shall serve at his or her pleasure. At the time of his or her appointment, and throughout his or her term of office, he or she shall possess such qualifications as may be required by law, and he or she shall be appointed on the basis of his or her administrative experience and other qualifications for the responsibilities of this office, except that if the Director of Real Property Tax Service is appointed for a fixed term of years pursuant to a provision of state law, he or she may only be removed for cause, after written notice of charges and an opportunity to be heard.*

**§ A17-2. Agency powers and duties.** <sup>75</sup>

A. *The Real Property Tax Service Agency shall:*

- (1) *Have all the powers and perform all the duties conferred or imposed by law upon the County regarding the extension of real estate taxes, the issuance of tax bills, the maintenance of County assessment records, the submission to the County Executive of tax equalization rates and the rendering of assistance to assessors throughout the County in the performance of their responsibilities;*
- (2) *Prepare tax maps for the use of the assessor of all the assessing units in the County; on such maps shall be shown each separately assessed parcel of real property with its boundaries properly marked, pursuant to the Real Property*

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74. Editor's Note: See Charter § C-75.

75. Editor's Note: See Charter § C-76.



*Tax Law; and*

(3) *Perform such other and related duties required by the County Executive or County Legislature.*

- B. Reports. On or before March 1 of each year, the Director of Real Property Tax Service shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Real Property Tax Service shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A17-3. Deputy Director of Real Property Tax Service.**

- A. The Director of Real Property Tax Service shall have the power to appoint one or more Deputy Directors of Real Property Tax Service, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Real Property Tax Service, provided that such appointment may be revoked at any time by Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of the Department of Real Property Tax Service as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

ARTICLE XVIII

**Department of Public Defender**

**§ A18-1. Public Defender.** <sup>76</sup>

- A. *There shall be a Department of Public Defender under the direction of a Public Defender, who shall be appointed by the County Executive subject to confirmation by the County Legislature and serve at his or her pleasure. At the time of his or her appointment, the person appointed as Public Defender shall have been duly admitted to the practice of law in this state for at least five years, and throughout*

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76. Editor's Note: See Charter § C-77.

*his or her term of office, the Public Defender shall be and remain duly licensed and entitled to practice law in the State of New York. He or she shall be appointed on the basis of his or her legal experience and other qualifications for the responsibilities of his office and devote his or her full working time to the duties of the office. The Public Defender, at all times, shall be a resident of Ulster County.*

**B. *The Public Defender shall:***

- (1) Provide legal representation, without charge, as directed by a court of appropriate jurisdiction, to persons whom the court has determined are financially unable to retain private counsel and who are charged with a crime, or who are entitled to assigned counsel pursuant to the Family Court Act or other statutory provision;*
- (2) Except as otherwise provided in the Charter, have all the powers and perform all the duties conferred or imposed by law upon his or her office; and*
- (3) Perform such other and related duties required by the County Executive or County Legislature.*

**C. *Reports.*** On or before March 1 of each year, the Public Defender shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department, including all cases handled by his or her office during the preceding year. The Public Defender shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A18-2. *Deputy and Assistant Public Defenders and staff.***<sup>77</sup>

*The Public Defender shall have the power to appoint such Deputy and Assistant Public Defenders, investigators and employees of his or her department as shall be authorized by the County Legislature. At the times of their appointments, and throughout their terms of office, all Deputy and Assistant Public Defenders shall be and remain duly licensed and entitled to practice law in the State of New York. All Deputy and Assistant Public Defenders, investigators and employees of the department shall be directly responsible to, and serve at the pleasure of, the Public Defender, except as otherwise provided by the Charter, Administrative Code or applicable law.*

**§ A18-3. *Acting Public Defender.***<sup>78</sup>

*The Public Defender, subject to approval by the County Executive, shall designate in writing, and in order of succession, the Deputy and Assistant Public Defenders who shall be Acting Public Defender in the event of his or her absence from the County or inability to perform and exercise the powers and duties of his or her office. Such designations shall be filed with the County Clerk and the Clerk of the County Legislature and may be*

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<sup>77</sup>. Editor's Note: See Charter § C-78.

<sup>78</sup>. Editor's Note: See Charter § C-79.

*revoked at any time by the Public Defender filing an approved new written designation and order of succession. The Acting Public Defender shall have all the powers and perform all the duties of the Public Defender.*

**§ A18-4. Special counsel.** <sup>79</sup>

*The Public Defender shall have the power to retain special counsel where necessary and within appropriations made therefor.*

**ARTICLE XIX  
County Clerk**

**§ A19-1. Election and qualifications.** <sup>80</sup>

*There shall be a County Clerk who shall be elected by the County at large at a general election, for a term of office in accordance with law, commencing on the first day of January immediately following his or her election. The County Clerk, at the time of his or her election and at all times during his or her term of office, shall be a qualified elector of the County and shall devote his or her full working time to the duties of the office.*

**§ A19-2. Powers and duties.** <sup>81</sup>

A. *The County Clerk shall:*

- (1) *Have and exercise all powers and duties conferred or imposed upon him or her by law and perform such other and related duties required by the County Executive or the Legislature;*
- (2) *Appoint such deputies, officers and employees of the department as may be authorized by resolution of the County Legislature; and*
- (3) *Serve as or appoint the County's records management officer, or such successor office as may be established under state law, with all powers and duties of such office, and in this capacity provide central management of the County's records and archives, within such appropriations as shall be made annually by the County Legislature.*

B. **Reports.** On or before March 1 of each year, the County Clerk shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The County Clerk shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A19-3. Deputy County Clerk and Acting County Clerk.**

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79. Editor's Note: See Charter § C-80.

80. Editor's Note: See Charter § C-81.

81. Editor's Note: See Charter § C-82.

- A. Within 10 days after assuming the duties of the office, the County Clerk shall appoint a Deputy County Clerk by an instrument in writing filed and recorded in his or her office. The Deputy County Clerk shall perform such duties as may be assigned by the County Clerk and, during the temporary absence or inability of the County Clerk, have and exercise all of the powers and duties of the office. In case of a vacancy in the office of County Clerk, the Deputy County Clerk shall perform the duties of the County Clerk until a successor is elected or appointed and has qualified.
- B. The County Clerk in like manner may designate one or more employees of his or her office to serve as Acting Deputy Clerk during the absence or inability of such Deputy County Clerk to perform the duties of the office. If there be no Deputy County Clerk, or Acting Deputy County Clerk, the County Judge may in the same manner designate an Acting Deputy County Clerk, who shall serve until a successor is appointed by the County Clerk and has qualified.
- C. The County Clerk may appoint and remove such additional deputies authorized to act generally for and in the place of their principal as shall be authorized by resolution of the County Legislature.

**§ A19-4. Bond of County Clerk.**

The County Clerk, and such of his or her deputies, officers and employees as the County Legislature or the County Executive shall require, shall file a surety bond to the County in a sum fixed by the County Legislature conditioned for the faithful performance of his or her duties. Such bond shall be approved as to form by the County Attorney and as to sufficiency of surety by the County Executive, and shall be filed with the County Clerk. It shall be a charge on the County.

ARTICLE XX  
**Sheriff**

**§ A20-1. Election and qualifications.** <sup>82</sup>

*There shall be a Sheriff who shall be elected by the County at large at a general election, for a term of office in accordance with law, commencing on the first day of January immediately following his or her election. The Sheriff, at all times during his or her term of office, shall be a qualified elector of the County and shall devote his or her full working time to the duties of the office.*

**§ A20-2. Powers and duties.** <sup>83</sup>

- A. *The Sheriff shall have and exercise all the powers and duties heretofore or hereafter lawfully granted or imposed by the Charter, Administrative Code, local law or resolution of the County Legislature, or order or direction of the County*

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82. Editor's Note: See Charter § C-83.

83. Editor's Note: See Charter § C-84.

*Executive, not inconsistent with those powers and duties vested in his or her office under the laws and Constitution of New York State.*

- B. Reports. On or before March 1 of each year, the Sheriff shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Sheriff shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A20-3. Undersheriff.** <sup>84</sup>

*Within 10 days after entering upon the duties of the office, the Sheriff shall appoint an Undersheriff to serve at the pleasure of the Sheriff as provided by law. The Undersheriff, at all times during his or her term of office, shall be a qualified elector of the County and shall devote his or her full working time to the duties of the office.*

**§ A20-4. Deputies.** <sup>85</sup>

*The Sheriff shall have the power to appoint such deputies as may be authorized by the County Legislature, subject to the requirements of law and contract.*

**§ A20-5. Salary of Sheriff; accounting for fees and funds.**

The salary of the Sheriff shall be fixed by the County Legislature and shall be in lieu of all fees or other compensation. All moneys to which the County may be entitled under and by virtue of the laws of the State of New York or which the Sheriff may receive for services performed by his office shall belong to the County and be collected by the Sheriff, accounted for and paid over to the Commissioner of Finance by a written statement within 10 days after the expiration of each month. Each monthly statement shall have attached thereto a certification by the Sheriff to the effect that the same is in all respects a full and true statement of all such moneys received by him for the preceding month. The Sheriff shall pay to the Commissioner of Finance all moneys received by him or her which are reportable to or receivable by the County as soon as practicable or as may be required by the Commissioner of Finance, but in no event less than once weekly.

**§ A20-6. Bond of Sheriff.**

The Sheriff, Undersheriff and such of his or her deputies, officers and employees as the County Legislature or the County Executive shall require shall file a surety bond to the County in a sum fixed by the County Legislature conditioned for the faithful performance of his or her duties. Such bond shall be approved as to form by the County Attorney and as to sufficiency of surety by the County Executive and filed with the County Clerk. It shall be a charge on the County.

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84. Editor's Note: See Charter § C-85.

85. Editor's Note: See Charter § C-86.

ARTICLE XXI  
**District Attorney**

**§ A21-1. Election and qualification.** <sup>86</sup>

*There shall be a District Attorney who shall be elected by the County at large at a general election, for a term of office in accordance with law, commencing on the first day of January immediately following his or her election. The District Attorney shall, at the time of his or her election and at all times during his or her term of office, be a qualified elector of the County, fully admitted to the practice of law in this state, and devote his or her full working time to the duties of the office.*

**§ A21-2. Powers and duties.** <sup>87</sup>

- A. *The District Attorney shall have and exercise all the powers and duties heretofore or hereafter lawfully granted or imposed by the Charter, Administrative Code, local law or resolution of the County Legislature or order or direction of the County Executive not inconsistent with those powers and duties conferred upon his or her office under the laws and Constitution of New York State.*
- B. **Reports.** On or before March 1 of each year, the District Attorney shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The District Attorney shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A21-3. Assistant District Attorneys.** <sup>88</sup>

*The District Attorney shall have the power to appoint Assistant District Attorneys as may be authorized by the County Legislature. All Assistant District Attorneys shall serve at the pleasure of the District Attorney.*

ARTICLE XXII  
**Fire Coordinator and Fire Advisory Board**

**§ A22-1. Fire Coordinator.** <sup>89</sup>

- A. **Appointment.** *There shall be a Fire Coordinator who shall be appointed by and serve at the pleasure of the County Executive. He or she shall be appointed based upon his or her education, experience and qualifications to perform the duties of the office, subject to the confirmation of the County Legislature. He or she shall be a resident of the County of Ulster.*

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<sup>86.</sup> Editor's Note: See Charter § C-87.

<sup>87.</sup> Editor's Note: See Charter § C-88.

<sup>88.</sup> Editor's Note: See Charter § C-89.

<sup>89.</sup> Editor's Note: See Charter § C-90.

- B. *Powers and duties. The Fire Coordinator shall:*
- (1) *Administer the County programs for fire training and mutual aid in cases of fire and other emergencies in which the services of fire fighters are required;*
  - (2) *Act as liaison between the Fire Advisory Board and Ulster County Arson Task Force;*
  - (3) *Act as the chief liaison between the County government and the fire-fighting forces in the County and their governing boards and bodies; and*
  - (4) *Perform such other duties as the County government may require or the County Executive may direct.*
- C. Reports. On or before March 1 of each year, the Fire Coordinator shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Fire Coordinator shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A22-2. Deputy Fire Coordinator.**

- A. The Fire Coordinator shall have the power to appoint one or more Deputy Fire Coordinators, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Fire Coordinator, provided that such appointment may be revoked at any time by the Fire Coordinator by written revocation filed with the County Clerk. Positions of Deputy Fire Coordinator may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Fire Coordinator for a department staff member.
- C. Deputy Fire Coordinators shall perform such duties pertaining to the office of the Fire Coordinator as he or she may direct and shall act generally for and in such place of the Fire Coordinator and perform such other and further duties as the Fire Coordinator may assign.
- D. The designation of an order of succession for the position of Deputy Fire Coordinator shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Fire Coordinator filing a new written designation of order of succession.

**§ A22-3. Fire Advisory Board.** <sup>90</sup>

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90. Editor's Note: See Charter § C-91.

- A. *There shall be a County Fire Advisory Board, which shall be appointed as provided by law.*
- B. Specifically, pursuant to § 225-a of the County Law of the State of New York:
- (1) The County Fire Advisory Board shall consist of not less than five members nor more than 21 members, each of whom shall be appointed by the County Legislature for a term of not to exceed one year, two years or three years. Such terms of office need not be the same for all members.
  - (2) It shall be the duty of such Board to cooperate with the Office of Fire Prevention and Control in the Department of State in relation to such programs for fire training, fire service-related activities and mutual aid; to act as an advisory body to the County Legislature and to the County Fire Coordinator in connection with the County participation in such programs for fire training, fire service-related activities and mutual aid and in connection with County establishment and maintenance of a County fire training school and mutual aid programs in cases of fire and other emergencies in which the services of fire fighters would be used.
  - (3) Such Board shall perform such other duties as the County Legislature may prescribe in relation to fire training, fire service-related activities and mutual aid in cases of fire and other emergencies in which the services of firefighters would be used.
  - (4) The members of such Board shall be County officers and residents of the County of Ulster.
- C. *Members of the Fire Advisory Board shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.*
- D. The Fire Advisory Board shall keep minutes of all meetings, including the date and time of meeting and members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Board meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Board's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each member on each item.

ARTICLE XXIII  
Office for the Aging

**§ A23-1. Director of Office for the Aging.** <sup>91</sup>

- A. *There shall be an Office for the Aging, headed by a Director who shall be appointed by and serve at the pleasure of the County Executive. He or she shall be*

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91. Editor's Note: See Charter § C-92.



*appointed based upon his or her education, experience and qualifications to perform the duties of the office and subject to the confirmation of the County Legislature.*

B. *Powers and duties. The Director of the Office for the Aging shall have all the powers and perform all the duties now or hereafter conferred or imposed upon him or her by law, as may be directed by the County Executive and/or appropriated by the County Legislature, and:*

- (1) Plan, organize, promote and direct varied services and activities designed to meet the needs of older people;
- (2) Evaluate and assess the needs of older persons and the effectiveness of agencies and organizations serving or having the potential to serve older people;
- (3) Supervise administrative functions such as budgeting, finance, personnel and purchasing;
- (4) Develop and administer an area plan for programs on aging;
- (5) Coordinate services of the Office for the Aging with other community agencies such as the Social Services Department;
- (6) Contact public officials and community leaders to obtain their cooperation and stimulate them to take action in setting up programs for the aging;
- (7) Provide leadership and advocacy on behalf of all older persons in the municipality;
- (8) Provide technical assistance to various community agencies and organizations regarding services and programs;
- (9) Assume primary leadership and responsibility for the implementation and development of the Nutrition Program for the Elderly;
- (10) Conduct research on the needs of older persons and develop proposals and alternative approaches for meeting these needs;
- (11) Provide counseling and referral services for the aging;
- (12) Conduct training programs for staff and volunteer workers; and
- (13) *Perform such other and related duties required by the County Executive or County Legislature.*

C. *Reports. On or before March 1 of each year, the Director of the Office for the Aging shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of the Office for the Aging shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.*

**§ A23-2. Deputy Director of Office for the Aging.**

- A. The Director of the Office for the Aging shall have the power to appoint one or more Deputy Directors of the Office for the Aging, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of the Office for the Aging, provided that such appointment may be revoked at any time by Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the Office for the Aging as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

ARTICLE XXIV  
**Consumer Fraud Bureau**

**§ A24-1. Consumer Fraud Bureau; Division of Weights and Measures.** <sup>92</sup>

*There shall be a Consumer Fraud Bureau. Within the Bureau there shall be a division of Weights and Measures.*

**§ A24-2. Director of Consumer Affairs.** <sup>93</sup>

- A. The Consumer Fraud Bureau *shall be headed by a Director of Consumer Affairs who shall be appointed by the County Executive in compliance with all civil service laws based on his or her experience and qualifications to perform the duties of said office, subject to confirmation by the County Legislature, and serve at his or her pleasure.* The District Attorney may provide enforcement assistance to the Consumer Fraud Bureau.
- B. The Director of Consumer Affairs *shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law and perform such other and related duties required by the County Executive or County Legislature.*
- C. Reports. On or before March 1 of each year, the Director of Consumer Affairs shall

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92. Editor's Note: See Charter § C-93.

93. Editor's Note: See Charter § C-93.

make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the bureau. The Director of Consumer Affairs shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A24-3. Deputy Director of Consumer Affairs.**

- A. The Director of Consumer Affairs shall have the power to appoint one or more Deputy Directors of Consumer Affairs, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Consumer Affairs, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of Consumer Fraud Bureau as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

**§ A24-4. Director of Weights and Measures.** <sup>94</sup>

- A. *The Director of Consumer Affairs shall serve ex officio as the Director of Weights and Measures, and shall have all the powers and perform all the duties now or hereafter conferred or imposed on this office by law, so long as he or she meets all of the qualifications and is duly certified to act in that capacity.*
- B. Powers and duties. There may also be an official Director of Weights and Measures in this division who shall be appointed by the County Executive in compliance with all civil service laws, subject to confirmation by the County Legislature, and who shall serve at the pleasure of the County Executive. The Director of Weights and Measures shall have and exercise all the powers and duties now conferred or imposed upon a county sealer by applicable law and perform such other and related duties as shall be required of him or her pursuant to law or delegated to him or her by the County Executive or the County Legislature or the Director of Consumer

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94. Editor's Note: See Charter § C-94.

Affairs.

- C. Reports. On or before March 1 of each year, the Director of Weights and Measures shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Weights and Measures shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A24-5. Deputy Director of Weights and Measures.**

- A. The Director of Weights and Measures shall have the power to appoint one or more Deputy Directors of Weights and Measures, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Weights and Measures, provided that such appointment may be revoked at any time by Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of Weights and Measures as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

ARTICLE XXV  
**Veterans' Service Agency**

**§ A25-1. Director of Veterans' Service.** <sup>95</sup>

- A. *There shall be a Veterans' Service Agency, headed by a Director of Veterans' Service who shall be appointed by the County Executive on the basis of his or her education and experience and qualifications to perform the duties of the office, subject to confirmation by the County Legislature, and serve at the County Executive's pleasure. The appointee shall be a veteran, defined by statute as someone who served on active duty in the armed forces during a wartime period.*
- B. Powers and duties. The Director of Veterans' Service *shall have all the powers and perform all the duties now or hereafter conferred or imposed upon him or her by*

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95. Editor's Note: See Charter § C-95.

*law and perform such other and related duties required by the County Executive or County Legislature.*

- C. Reports. On or before March 1 of each year, the Director of Veterans' Service shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Veterans' Service shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A25-2. Deputy Director of Veterans' Service.**

- A. The Director of Veterans' Service shall have the power to appoint one or more Deputy Directors of Veterans' Service, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Veterans' Service, provided that such appointment may be revoked at any time by Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of Veterans' Service Agency as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

ARTICLE XXVI  
**Department of Probation**

**§ A26-1. Director of Probation.** <sup>96</sup>

- A. *There shall be a Department of Probation, headed by a Director of Probation. The Director shall be appointed by the County Executive in compliance with all civil service laws, subject to the confirmation of the County Legislature, in accordance with Executive Law.*
- B. Powers and duties. The Director of Probation shall be responsible for providing and maintaining effective probation services in accordance with established laws and

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96. Editor's Note: See Charter § C-96.

regulations and receives general supervision and assistance from the State Division of Probation. The Director shall also perform such other related functions as the County Legislature or the County Executive may designate in order to implement and accomplish the policies and responsibilities the County Legislature has prescribed.

- C. Reports. On or before March 1 of each year, the Director of Probation shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Probation shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A26-2. Deputy Director of Probation.**

- A. The Director of Probation shall have the power to appoint one or more Deputy Directors of Probation, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Probation, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of the Department of Probation as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

ARTICLE XXVII  
**Board of Elections**

**§ A27-1. Appointment; term.** <sup>97</sup>

*There shall be a Board of Elections, whose members shall be appointed by the County Legislature in the manner provided by New York State Election Law, and who shall serve at its pleasure unless otherwise required by law.*

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97. Editor's Note: See Charter § C-97.

**§ A27-2. Powers and duties.** <sup>98</sup>

- A. *The Board's powers and duties shall be as provided by law.*
- B. Reports. On or before January 31 of each year, the Commissioners of the Board of Elections shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the Board. Such report shall conform to § 3-212 of Election Law of the State of New York. The Commissioners of the Board of Elections shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A27-3. Deputy Commissioners of Board of Elections.**

- A. The Commissioners of the Board of Elections shall have the power to appoint one or more Deputy Commissioners of the Board of Elections, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Commissioner of the Board of Elections, provided that such appointment may be revoked at any time by the Commissioner by written revocation filed with the County Clerk. Positions of Deputy Commissioner may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Commissioner for a department staff member.
- C. Deputy Commissioners shall perform such duties pertaining to the office of the Board of Elections as the Commissioner may direct and shall act generally for and in such place of the Commissioner and perform such other and further duties as the Commissioner may assign.
- D. The designation of an order of succession for the position of Deputy Commissioner shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner filing a new written designation of order of succession.

ARTICLE XXVIII  
**County Jury Board; Commissioner of Jurors**

**§ A28-1. Powers and duties.** <sup>99</sup>

*There shall be a County Jury Board and a Commissioner of Jurors, appointed pursuant to law, who shall have and exercise all the powers and perform all the duties now or hereafter conferred or imposed upon them by law. The Commissioner shall serve as an*

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98. Editor's Note: See Charter § C-97.

99. Editor's Note: See Charter § C-98.

*officer of the Court and formulate panels of grand and trial jurors, maintain jury service records and initiate action to sanction jurors who violate the law.*

ARTICLE XXIX  
**Department of Residential Health Care Facilities**

**§ A29-1. Director of Residential Health Care Facilities.** <sup>100</sup>

- A. *There shall be a Department of Residential Health Care Facilities, headed by a Director. The Director of Residential Health Care Facilities shall have the qualifications of a nursing home administrator. She or he shall be appointed by the County Executive, subject to confirmation by the County Legislature, and serve at the pleasure of the County Executive.*
- B. *Powers and duties. The Director shall have and exercise all powers and duties heretofore or hereafter lawfully granted or imposed by the Charter, local law or resolution of the County Legislature, or by applicable law not inconsistent with the Charter, which shall be necessary to enable her or him to manage and supervise the Golden Hill Health Care Center and/or any other similar institution of the County.*
- C. **Reports.** On or before March 1 of each year, the Director of Residential Health Care Facilities shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Residential Health Care Facilities shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A29-2. Deputy Director of Residential Health Care Facilities.**

- A. The Director of Residential Health Care Facilities shall have the power to appoint one or more Deputy Directors of Residential Health Care Facilities, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Residential Health Care Facilities, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of Residential Health Care Facilities as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director

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100. Editor's Note: See Charter § C-99.



may assign.

- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

ARTICLE XXX  
**Commission of Human Rights**

**§ A30-1. Commissioner of Human Rights.** <sup>101</sup>

- A. *There shall be a Commission of Human Rights headed by a Commissioner of Human Rights who shall be appointed by the County Executive, subject to confirmation of the Legislature, and serve at his or her pleasure.*
- B. Powers and duties. The Commissioner of Human Rights shall address the problems of discrimination in employment, housing, public accommodation, education and credit.
- C. Reports. On or before March 1 of each year, the Commissioner of Human Rights shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Commissioner of Human Rights shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A30-2. Commission membership; duties; appointments; terms of office.** <sup>102</sup>

- A. *The Commission of Human Rights shall be constituted in accordance with and exercise the powers and duties specified in Article 12-D of the General Municipal Law and other related duties required by the County Executive and/or the County Legislature.*
- B. *The Commission of Human Rights shall have 11 members appointed to terms of three years, three members of whom shall be appointed by the legislative Chairman, three members by the legislative minority leader, and five members by the County Executive, one of whom shall be designated by him or her as the Commission Chairman. Appointments shall be representative of the various religious, racial, ethnic and nationality groups in Ulster County's communities. All members of the Commission of Human Rights shall be residents of Ulster County. No member of the Commission of Human Rights shall serve more than two terms of three years.*
- C. The Commission of Human Rights shall keep minutes of all meetings, including the

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101. Editor's Note: See Charter § C-100.

102. Editor's Note: See Charter § C-101.

date and time of meeting and members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Commission meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Commission's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each member on each item.

**§ A30-3. Authority.** <sup>103</sup>

*The Commission of Human Rights shall have all of the authority, responsibility, obligations, powers and duties set forth in Article 12-D of the General Municipal Law and shall also have the authority to create bylaws for its own governance, proceedings and activities.*

ARTICLE XXXI  
**County Historian**

**§ A31-1. Appointment; powers and duties.** <sup>104</sup>

*There shall be a County Historian, who shall be appointed by the County Executive pursuant to the New York State Arts and Cultural Affairs Law, subject to confirmation by the County Legislature. The County Historian shall preserve, interpret and promote the history of Ulster County and shall have all the powers and perform all the duties conferred or imposed by applicable law.*

ARTICLE XXXII  
**Ulster County Community College**

**§ A32-1. Continued operation; Board of Trustees.** <sup>105</sup>

*Ulster County Community College, heretofore established pursuant to the Education Law of the State of New York, shall continue to operate in accordance with all applicable laws of the State of New York and additionally with applicable provisions of the Charter. The Board of Trustees shall continue as provided by law, except that the power of appointment of those Trustees authorized by state law to be appointed by the local sponsor is transferred to and shall be exercised by the County Executive, subject to confirmation by the County Legislature. Members of the Ulster County Community College Board of Trustees shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.*

ARTICLE XXXIII  
**Board of Ethics**

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103. Editor's Note: See Charter § C-102.

104. Editor's Note: See Charter § C-103.

105. Editor's Note: See Charter § C-104.

**§ A33-1. Purpose and intent.** <sup>106</sup>

*Ethical conduct by public officers and employees assures public confidence in County government. In addition to and not in any way in conflict with germane provisions of Article 18 of the General Municipal Law of New York State or any other general or special state law relating to ethical conduct and interest in contracts of municipal officers and employees, this article, the Code of Ethics of the County of Ulster, and attendant provisions of the County Administrative Code provide rules of ethical conduct for the officers and employees of the County of Ulster and methods for assuring adherence to them.*

**§ A33-2. Membership; appointment; compensation.** <sup>107</sup>

*There shall be a Board of Ethics consisting of five members appointed by the County Executive, subject to the confirmation of the County Legislature. Board of Ethics members shall serve without compensation and at the pleasure of the County Executive. No more than two members shall be of the same political party. Members of the Board of Ethics shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.*

**§ A33-3. Powers and duties.** <sup>108</sup>

- A. *The Board of Ethics shall render advisory opinions to the officers and employees of the County of Ulster with respect to Article 18 of the General Municipal Law, the Code of Ethics of the County of Ulster, and Administrative Code. Such advisory opinions shall be rendered in response to written request from any such officer or employee under such rules and regulations as the Board may prescribe.*
- B. *The Board may also accept from the general public or from any of its own members a complaint or allegation of conflict of interest of any officer or employee of Ulster County. All such complaints or allegations are to be kept in the confidential records of the Board. Should the Board determine that there appears to be merit in the complaint or allegation, it shall send a written invitation to the officer or employee in question to appear at a private meeting of the Board and explain the apparent conflict of interest. Should such officer or employee fail to appear in response to such invitation or should he or she appear and fail to satisfy the Board that there is no conflict of interest, the Board shall send a written report on the matter to the County Executive. The report shall not be made public except by the County Executive or by the unanimous vote of the Board.*
- C. *In addition, the Board may make recommendations with respect to the County Code of Ethics or amendments thereto upon the request of the Ulster County Legislature.*

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106. Editor's Note: See Charter § C-105.

107. Editor's Note: See Charter § C-106.

108. Editor's Note: See Charter § C-107.

- D. *The Board, upon its formulation, shall promulgate its own rules and regulations as to its forms and procedures and shall maintain records of its opinions and proceedings. Copies of all rules and regulations promulgated by the Board and any and all amendments thereto which may be adopted from time to time shall be filed with the Clerk of the Ulster County Legislature.*
- E. *The Board shall not act with respect to the officers and employees of any municipality located within the County or agency thereof where such municipality has established its own Board of Ethics, except that the local board may, at its option, refer matters to the County Board.*

ARTICLE XXXIV  
**Periodic Compensation Review Committee**

**§ A34-1. Establishment; membership; compensation.** <sup>109</sup>

*There is hereby established a Periodic Compensation Review Committee for Ulster County. The Committee shall consist of five members, of which three members shall be selected by the County Legislature with at least one member from the party with the second most number of legislative members. Two Committee members, not of the same political party, shall be appointed by the County Executive. Initial appointments to the Committee shall be made no later than April 1 in the year after the Charter is first effected. As soon as practicable after April 1 of the year, members shall be called together by the County Executive to select a Chairman from amongst their number. No member of the Periodic Compensation Review Committee shall hold an elected or appointed position in Ulster County or be compensated in whole or in part from County funds at the time of his or her appointment and during his or her term of membership. Members of the Compensation Review Committee shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.*

**§ A34-2. Terms of office; limits of service; filling vacancies.** <sup>110</sup>

*One executive appointee of the Periodic Compensation Review Committee shall serve an initial term of two years and the other an initial term of three years, with appointments thereafter being for a term of three years. One legislative appointee to the Committee shall serve for an initial term of one year, one for an initial term of two years and one for an initial term of three years, with appointments thereafter being for a term of three years. No Committee member shall serve more than eight years. Appointment of a person to fill a vacancy occurring by death, resignation, or cause other than the expiration of a term shall be made for the unexpired term. Vacancies shall be filled and the appointments of successors shall be made by the appointing authority responsible for the original appointment.*

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109. Editor's Note: See Charter § C-108.

110. Editor's Note: See Charter § C-109.

**§ A34-3. Duties.** <sup>111</sup>

*At the call of its Chairman, beginning July 1 following its establishment and at least every second year thereafter, the Committee shall review the salaries of all elected officials of the County of Ulster. In the course of its deliberations, the Committee shall hold at least one public hearing and shall otherwise provide ample opportunity for public comment. The Committee shall provide its recommendations and the rationale for them to the County Executive and the County Legislature no later than September 30 of the same year in which it convened, except that the Committee shall not make recommendations concerning compensation of elected officials for whom, by law or judicial determination, the County Legislature does not have the power to fix compensation. Immediately upon their delivery to the County Executive and the County Legislature, the recommendations of the Committee shall be filed with the Clerk of the Ulster County Legislature and posted on the County website. All changes in salaries for elected officials shall be made by local law. The Periodic Compensation Review Committee shall keep minutes of all meetings, including the date and time of meeting and members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Committee meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Committee's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each member on each item.*

ARTICLE XXXV  
**Environmental Management Council**

**§ A35-1. Membership; terms of office; limits of service; compensation.** <sup>112</sup>

*There shall be an Ulster County Environmental Management Council comprised of one member from each city, town and village environmental council and commission within the County, nominated by the governing body of that city, town or village and appointed by the County Executive with the confirmation of the Legislature for a term of three years, and up to an equal number of at-large appointees appointed by the County Executive with the confirmation of the Legislature for a term of three years, and the County Director of Planning, serving ex officio. The presiding officer of the Environmental Management Council shall be chosen annually by its members from among their members but shall not be an employee of the County of Ulster. Except those in an ex-officio capacity, no person may serve on the Environmental Management Council for more than six years. Members of the Ulster County Environmental Management Council shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.*

**§ A35-2. Powers and duties.** <sup>113</sup>

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111. Editor's Note: See Charter § C-110.

112. Editor's Note: See Charter § C-111.

*Except as otherwise provided in the Charter, the Ulster County Environmental Management Council shall:*

- A. *In consultation with the Department of Environment, advise the County Executive and the County Legislature on all matters affecting the preservation, conservation and ecologically suitable use of the natural resources of the County;*
- B. *Review the condition of the County environment as a whole and prepare and submit an annual report of its findings to the Department of Environment, the County Executive and the County Legislature, which report shall also include an account of the Council's activities and accomplishments based on accurate records of its meetings and other works;*
- C. *In cooperation with the Department of Environment, the County Planning Agency and other appropriate agencies, prepare a plan for the protection of the County's environment and the management of its natural resources. To the extent practicable, the preparation, content and subsequent revision, if any, of the County environmental plan shall be coordinated with the state environmental plan and a copy of this County plan and any subsequent revisions of it shall be filed with the State Commissioner of Environmental Conservation;*
- D. *Investigate and recommend to the Department of Environment and the County governing body ecologically sound methods for use of the County's resources; and*
- E. *In consultation with the Department of Environment, cooperate and assist such other governmental or nongovernmental boards or organizations on the preparation of plans or reports or review of proposals or applications as the County may direct.*
- F. *The Environmental Management Council shall keep minutes of all meetings, including the date and time of meeting and members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Council meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Council's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each member on each item.*

#### ARTICLE XXXVI

#### **Department of Emergency Communications/Emergency Management**

**§ A36-1. *Director of Emergency Communications/Emergency Management; Office of Civil Defense.*** <sup>114</sup>

- A. *There shall be a Department of Emergency Communications/Emergency Management headed by a Director of Emergency Communications/Emergency Management appointed on the basis of his or her experience and qualifications for*

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113. Editor's Note: See Charter § C-112.

114. Editor's Note: See Charter § C-113.

*the duties of the office by the County Executive to serve at his or her pleasure, subject to the confirmation by the County Legislature. The Department of Emergency Communications/Emergency Management shall be the Office of Civil Defense for the County of Ulster.*

B. *Powers and duties. Except as otherwise provided in the Charter, Administrative Code or state law, the Director of Emergency Communications/Emergency Management shall:*

- (1) *Have charge and supervision of emergency services dispatching and disaster preparedness;*
- (2) *Assist the County Executive and the County Legislature as required and directed in fulfilling their responsibilities in the area of disaster preparedness under the Executive Law or any other law, rule or regulation;*
- (3) *Act in accordance with the Civil Service Law, have the authority to appoint and remove all officers and employees of the Department of Emergency Communications/Emergency Management;*
- (4) *Have charge and supervision over the preparation of the departmental budget and the expenditure of departmental funds;*
- (5) *Have responsibility for operation of 911 services;*
- (6) *Direct the administrative activities of the department;*
- (7) *Have necessary powers and duties of the County Director of Civil Defense as provided by the New York State Defense Emergency Act<sup>115</sup> or any other local, state or federal law, rule or act; and*
- (8) *Have charge of and have the duty of performing such other related functions and other matters as the County Executive may from time to time direct.*

C. *Reports. On or before March 1 of each year, the Director of Emergency Communications/Emergency Management shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Emergency Communications/Emergency Management shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.*

**§ A36-2. Deputy or Assistant Directors.** <sup>116</sup>

A. *The Director of Emergency Communications/Emergency Management shall have the power to appoint one or more Deputy Directors or Assistant Directors within the limits of appropriations provided for this purpose. Every appointment shall be*

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<sup>115</sup>. Editor's Note: See Title 26 of the Unconsolidated Laws of New York State, § 9101 et seq.

<sup>116</sup>. Editor's Note: See Charter § C-114.

in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.

- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Emergency Communications/Emergency Management, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. *Deputy or Assistant Directors shall perform duties pertaining to the Department of Emergency Communications/Emergency Management as the Director may require and shall act generally for and in the place of the Director, performing other duties as the Director of Emergency Communications/Emergency Management may assign.*
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

#### ARTICLE XXXVII Intermunicipal Relations

**§ A37-1. *Contracts with public corporations and authorities; implementation.*** <sup>117</sup>

*The County shall have the power to contract with any public corporation, including but not limited to a municipal, district, or public benefit corporation, or with any public authority or combination thereof, for the cooperative or joint establishment, maintenance, and operation of any facility and the provision of any service that each of the contracting parties would have legal authority to establish, maintain, operate, or provide for itself. The costs, expenses, and charges for central facilities and administrative services connected with intergovernmental collaborative activities shall be shared by all contracting parties. The provisions of this article shall be implemented pursuant to Article 5-G of the General Municipal Law of the State of New York, unless and until the Ulster County Legislature shall, by local law, provide for an alternative method.*

**§ A37-2. *Intermunicipal Collaboration Council.*** <sup>118</sup>

- A. *There shall be a seven-member Intermunicipal Collaboration Council established whose purpose is to advance communication, coordination and collaboration among the local governments in Ulster County so as to achieve greater economy, efficiency, equity, effectiveness and responsiveness of public service.*

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117. Editor's Note: See Charter § C-115.

118. Editor's Note: See Charter § C-116.



- B. *Membership of the Intermunicipal Collaboration Council shall include the County Executive, the majority leader of the Ulster County Legislature or his or her respective designee, the minority leader of the Ulster County Legislature or his or her respective designee, the Mayor of the City of Kingston or his or her respective designee, a representative of the Ulster County Board of Cooperative Educational Services (BOCES), and two representatives of the Ulster County Town Supervisors' Association to be selected by the Association. Any designee appointed by the majority or minority leader pursuant to this subsection shall be a member of the Legislature. Any designee appointed by the Mayor of the City of Kingston pursuant to this subsection shall be a duly elected official. Designations shall be in writing and filed with the Clerk of the Legislature.*
- C. *The Council shall meet at the call of the County Executive, but no fewer than two times annually, to consider matters or issues that might be brought before it by any member and to take initiatives designed to advance its objectives.*
- D. *The Intermunicipal Collaboration Council shall keep minutes of all meetings, including the date and time of meeting and members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Council meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Council's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each member on each item.*

#### ARTICLE XXXVIII

#### **Department of Employment and Training**

**§ A38-1. Director of Employment and Training.** <sup>119</sup>

- A. *A Department of Employment and Training shall be headed by a Director of Employment and Training who shall be appointed by the County Executive based on his or her experience and qualifications to perform the responsibilities of the office, subject to the confirmation by the County Legislature. He or she shall serve at the pleasure of the County Executive.*
- B. *Powers and duties. In accord with the requirements of state and local law, he or she shall conduct training programs for dislocated workers and low-income and otherwise disadvantaged adults and youths so as to simultaneously improve their life chances and meet the needs of employers, thus strengthening the County economy. He or she shall have all other powers and perform all other duties now and hereafter conferred or imposed upon him or her by law, and shall perform such other and related duties required by the County Executive or County Legislature.*
- C. *Reports. On or before March 1 of each year, the Director of Employment and Training shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work*

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<sup>119</sup>. Editor's Note: See Charter § C-117.

of the department. The Director of Employment and Training shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A38-2. Deputy Director of Employment and Training.**

- A. The Director of Employment and Training shall have the power to appoint one or more Deputy Directors of Employment and Training, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Employment and Training, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of the Department of Employment and Training as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

**§ A38-3. Workforce Investment Board.**

- A. There shall be a Workforce Investment Board, the members of which shall be appointed by the County Executive as provided for and pursuant to the criteria established under federal law, rule or regulations. Members shall be residents of Ulster County.
- B. The members of the Workforce Investment Board shall elect a chairperson from among the businesses representatives on the Board.
- C. The Workforce Investment Board shall have all of the duties and responsibilities as prescribed in accordance with federal law, rule or regulation as well as those that may be authorized by the County Executive.
- D. The Workforce Investment Board shall keep minutes of all meetings, including the date and time of meeting and members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Board meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Board's agenda items. This official record shall

include the disposition of each agenda item, including individual votes of each member on each item.

ARTICLE XXXIX  
**Department of Tourism**

**§ A39-1. Director of Tourism.** <sup>120</sup>

- A. *There shall be Department of Tourism headed by a Director of Tourism who shall be appointed by the County Executive based on his or her experience and qualifications to perform the duties of the office, subject to confirmation by the County Legislature, and shall serve at his or her pleasure.*
- B. *Powers and duties. He or she shall promote all of Ulster County's tourism sites, attractions and events with a view toward strengthening the economy of Ulster County. He or she shall also have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law and perform other and related duties required by the County Executive and County Legislature.*
- C. Reports. On or before March 1 of each year, the Director of Tourism shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Tourism shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A39-2. Deputy Director of Tourism.**

- A. The Director of Tourism shall have the power to appoint one or more Deputy Directors of Tourism, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Tourism, provided that such appointment may be revoked at any time by Director by written revocation filed with the County Clerk. Positions of Deputy Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. Deputy Directors shall perform such duties pertaining to the office of the Department of Tourism as the Director may direct and shall act generally for and in such place of the Director and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall

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120. Editor's Note: See Charter § C-118.

be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

ARTICLE XL  
**Traffic Safety**

**§ A40-1. Coordinator of Traffic Safety.** 121

- A. *Appointment; term.* There shall be a Coordinator of Traffic Safety who shall be appointed by the County Executive based on his or her experience and qualifications to perform the duties of the office, subject to confirmation by the County Legislature, and shall serve at his or her pleasure. The Coordinator shall serve as the Executive Secretary and Administrative Officer of the Traffic Safety Board.
- B. *Powers and duties.* The Coordinator shall be responsible for the development and coordination of local programs which promote the safety and efficacy of traffic and transportation, including pedestrian and nonmotorized transport, and shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law and perform other and related duties required by the County Executive and County Legislature.
- C. *Reports.* On or before March 1 of each year, the Coordinator of Traffic Safety shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Coordinator of Traffic Safety shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A40-2. Deputy Coordinator of Traffic Safety.**

- A. The Coordinator of Traffic Safety shall have the power to appoint one or more Deputy Coordinators of Traffic Safety, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Coordinator of Traffic Safety, provided that such appointment may be revoked at any time by the Coordinator by written revocation filed with the County Clerk. Positions of Deputy Coordinator may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Coordinator for a department staff member.
- C. Deputy Coordinators shall perform such duties pertaining to the office of Traffic

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121. Editor's Note: See Charter § C-119.

Safety as the Coordinator may direct and shall act generally for and in such place of the Coordinator and perform such other and further duties as the Coordinator may assign.

- D. The designation of an order of succession for the position of Deputy Coordinator shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Coordinator filing a new written designation of order of succession.

**§ A40-3. Traffic Safety Board.** 122

- A. *There shall be a Traffic Safety Board which shall exercise all powers and duties set forth in Article 43 of Vehicle and Traffic Law and heretofore or hereafter lawfully granted or imposed by the Charter, local law, resolution of the County Legislature, or by applicable law not inconsistent with the Charter.*
- B. *The Traffic Safety Board shall consist of 12 persons appointed for terms of three years by the County Executive, subject to the confirmation of the County Legislature, except that four members will be initially appointed to a term of one year and four members to a term of two years. Members shall be residents of and qualified electors in the County. At least one but not more than three members shall be resident(s) in the City of Kingston. The Traffic Safety Board shall elect annually a Chairman, Vice Chairman, and a Secretary from its members as provided in Article 43 of the Vehicle and Traffic Law. The Coordinator of Traffic Safety shall serve on the Traffic Safety Board ex officio.*
- C. The Traffic Safety Board shall:
  - (1) Adopt rules for the conduct of its business.
  - (2) Within the limits of appropriations made therefor by the County Legislature, authorize the employment of such personnel as may be necessary to properly perform the functions and carry out the objectives of the Traffic Safety Board.
- D. The Traffic Safety Board shall keep minutes of all meetings, including the date and time of meeting and Board members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Board meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Board's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each Board member on each item.
- E. *The Traffic Safety Board shall advance traffic and transportation safety, including pedestrian and nonmotorized transport, through study, advocacy and public education in accord with the provisions of the New York State Vehicle and Traffic Law and local law and perform other duties that may be assigned to it by the County Executive and the Legislature. The Board shall further prioritize safety*

*concerns based on relative risk to people using major modes of transportation such as walking, cycling and/or other nonmotorized and motorized transport.*

- F. *Members of the Traffic Safety Board shall receive no compensation for services but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriation made for such purposes.*

**ARTICLE XLI**  
**Youth Bureau**

**§ A41-1. Director of Youth Bureau.** <sup>123</sup>

- A. *There shall be a Youth Bureau headed by a Director who shall be appointed by the County Executive based on his or her education, experience and qualifications to perform the duties of the office, subject to confirmation by the County Legislature, and shall serve at the pleasure of the County Executive.*
- B. *Powers and duties. The Director of the Youth Bureau shall have managerial responsibility for the department and, with the advice and assistance of the Youth Board, recommend policies that promote youth development and prevent delinquency, plan and coordinate activities devoted to the well-being and protection of all youth in Ulster County, and expand public awareness of youth issues. He or she shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law, and perform such other and related duties required by the County Executive and County Legislature.*
- C. **Reports.** On or before March 1 of each year, the Director of the Youth Bureau shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of the Youth Bureau shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A41-2. Deputy Director of Youth Bureau.** <sup>124</sup>

- A. *The Deputy Director of the Youth Bureau shall be appointed by the Director, in accord with and within the limits of the appropriation provided for this purpose, after consultation with the County Executive on the basis of his or her education and experience. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.*
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of the Youth Bureau, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Deputy

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123. Editor's Note: See Charter § C-121.

124. Editor's Note: See Charter § C-122.

Director may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Director for a department staff member.

- C. The Deputy Director *shall possess the powers and perform the duties of the Director of the Youth Bureau during the absence or inability of such Director to act or in the case of a vacancy in the office of the Director, until a successor is selected and has qualified.* He or she shall perform such duties pertaining to the office of the Youth Bureau as the Director may direct and perform such other and further duties as the Director may assign.
- D. The designation of an order of succession for the position of Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

**§ A41-3. Youth Board.** <sup>125</sup>

- A. *Membership; appointment; term. There shall be a Youth Board that shall consist of 15 members, at least two of whom shall be youth (between the ages of 16 and 21), who shall be appointed by the County Executive for a term of three years, subject to confirmation by the County Legislature. The Board shall encourage diverse representation indicative of the entire community. Membership shall reflect a balance between government and non-government representatives who are directly concerned with the well-being of youth and to represent the community to which it serves. All members of the Youth Board shall be residents of Ulster County. No member of the Youth Board shall hold any other County or state office. Members shall elect a Chairman and Vice Chairman for a term of one year. Board members shall be known as "Commissioners of the Youth Bureau of the County of Ulster" and shall receive no compensation for their services or activities except for actual and necessary expenses in the performance of duties as appropriated. The Sheriff of Ulster County, the Commissioner of Health or Public Health Director, the Family Court Judges, the County Attorney or his or her representative, the Commissioner of Social Services, and two members of the County Legislature designated by the Chairman of the County Legislature shall be ex officio members of the Youth Board.*
- B. *Powers and duties. The Youth Board shall propose policies, programs and recommendations to the Director of the Youth Bureau, the County Executive and the Legislature regarding measures most suitable to supplement, aid and coordinate the work and activities of all public and private agencies, including religious and social institutions, seeking to prevent delinquency and youth crime, to advance the moral, physical, mental and social well-being of the youth of this County, and to encourage the County's local governments to take an interest in the well-being of youth.*

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125. Editor's Note: See Charter § C-123.

- C. The Youth Board shall keep minutes of all meetings, including the date and time of meeting and Board members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 10 business days after the next regular Board meeting at which the minutes were reviewed and accepted. The Clerk of the Legislature or his or her designee shall maintain an official record of the Board's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each Board member on each item.

ARTICLE XLII  
**Department of Community Corrections**

**§ A42-1. Director of Community Corrections.** 126

- A. *Appointment; term. There shall be Department of Community Corrections headed by a Director of Community Corrections or other qualifying title who shall be appointed by the County Executive based on his or her experience and qualifications to perform the duties of the office, subject to confirmation by the County Legislature. The Director shall serve at the pleasure of the County Executive.*
- B. *Powers and duties. The Director of Community Corrections shall:*
- (1) *In accord with applicable state and local law, have charge and supervision of the Department of Community Corrections to ensure its effective and efficient operation to reduce reliance on unnecessary incarceration in a manner consistent with public safety; provide a means of punishment to an offender and a means of restitution to the community; increase sentencing options to all criminal courts in Ulster County; foster the development of employment, vocational, and life skills as a way of improving situations which might otherwise contribute to criminal activity; encourage and implement integration between offender and community in the process of reducing dysfunction; and forward the cause of alternative sanctions;*
  - (2) *Administer and promote effective legal services within the confines of County and state legal procedures and laws for indigent individuals within the Community Corrections Program through the operation of the County's Assigned Counsel Plan, in accordance with Article 18-B of the County Law;*
  - (3) *Have necessary powers and duties pursuant to applicable laws governing the operations of alternatives to incarceration programs;*
  - (4) *Furnish technical expertise in the planning and development of community corrections and alternatives to incarceration programming to the County Executive and County Legislature as authorized; and*
  - (5) *Have charge of and have the duty of performing such other related functions and other matters as the County Executive and Legislature may from time to*



*time direct.*

- C. Reports. On or before March 1 of each year, the Director of Community Corrections shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Director of Community Corrections shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A42-2. Assistant Director or Deputy Director of Community Corrections.** <sup>127</sup>

- A. *The Director of Community Corrections shall have the power to appoint an Assistant Director or Deputy Director within the limits of appropriations provided for this purpose.* Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any assistant or deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Director of Community Corrections, provided that such appointment may be revoked at any time by the Director by written revocation filed with the County Clerk. Positions of Assistant Director or Deputy Director may be in the exempt class of civil service; or in the alternative, the assistant or deputy may also be an additional title which may be designated by the Director for a department staff member.
- C. *The Assistant Director or Deputy Director shall perform such duties pertaining to the Department of Community Corrections as the Director may direct and shall act generally for and in the place of the Director and perform such other and related duties as the Director may assign and direct.*
- D. The designation of an order of succession for the position of Assistant Director or Deputy Director shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Director filing a new written designation of order of succession.

ARTICLE XLIII  
**Safety Department**

**§ A43-1. Safety Officer.** <sup>128</sup>

- A. *Appointment; term.* There shall be Safety Department headed by a Safety Officer who shall be appointed by the County Executive in compliance with all civil service laws based on his or her education, experience and qualifications to perform the duties of the office, subject to confirmation by the County Legislature. He or she shall serve at the pleasure of the County Executive.

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127. Editor's Note: See Charter § C-125.

128. Editor's Note: See Charter § C-126.

- B. *Powers and duties. The Safety Officer will assure through inspection, training and education that all County government operations and properties are maintained in a safe and healthful manner in accord with federal, state and County regulations and mandates. He or she shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law, and perform other and related duties required by the County Executive and County Legislature.*
- C. Reports. On or before March 1 of each year, the Safety Officer shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Safety Officer shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A43-2. Deputy Safety Officer.**

- A. The Safety Officer shall have the power to appoint one or more Deputy Safety Officers, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Safety Officer, provided that such appointment may be revoked at any time by the Safety Officer by written revocation filed with the County Clerk. Positions of Deputy Safety Officer may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Safety Officer for a department staff member.
- C. Deputy Safety Officers shall perform such duties pertaining to the office of the Safety Department as the Safety Officer may direct and shall act generally for and in such place of the Safety Officer and perform such other and further duties as the Safety Officer may assign.
- D. The designation of an order of succession for the position of Deputy Safety Officer shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Safety Officer filing a new written designation of order of succession.

ARTICLE XLIV  
**Insurance Department**

**§ A44-1. Insurance Officer.** 129

- A. *There shall be an Insurance Department headed by an Insurance Officer who shall be appointed by the County Executive based on his or her education, experience and qualifications to perform the duties of the office, subject to confirmation by the County Legislature. The Insurance Officer shall serve as the administrator of the*

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129. Editor's Note: See Charter § C-127.

County's self-insurance plan. *He or she shall serve at the pleasure of the County Executive and shall have all the powers and perform all the duties now and hereafter conferred or imposed upon him or her by law, and perform such other and related duties as required by the County Executive and County Legislature.*

B. *Powers and duties. The Insurance Officer shall:*

- (1) *Have general charge and responsibility for duties and functions relating to insurance as delegated to him or her from time to time by the County Executive and County Legislature;*
- (2) *Subject to County Executive approval, have the authority to administer the self-insurance plan as provided for in Article 5 of the Workers' Compensation Law;*
- (3) *Contract for the services deemed necessary for the operation of the plan and, within the limits of the appropriation made for this purpose, approve all bills or claims related thereto before payment is recommended;*
- (4) *Have the authority to settle any case subject to the approval of the County Attorney; and*
- (5) *Have authority to appoint deputies within the limit of the appropriation for this purpose, and designate a first deputy who shall act as Insurance Officer in the event of the Insurance Officer's absence from the County or inability to perform and exercise his or her powers and duties.*

C. Reports. On or before March 1 of each year, the Insurance Officer shall make an annual report to the County Legislature and County Executive for the immediately preceding calendar year, covering generally the work of the department. The Insurance Officer shall make such other reports at such times as may be required by the County Legislature, County Executive or any applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**§ A44-2. Deputy Insurance Officer.**

- A. The Insurance Officer shall have the power to appoint one or more Deputy Insurance Officers, within the limits of appropriations therefor. Every appointment shall be in writing and filed in the Office of the County Clerk and the Clerk of the Legislature.
- B. The term of office of any deputy not classified as competitive under the County's civil service rules, appointed hereunder, shall coincide with that of the Insurance Officer, provided that such appointment may be revoked at any time by the Insurance Officer by written revocation filed with the County Clerk. Positions of Deputy Insurance Officer may be in the exempt class of civil service; or in the alternative, the deputy may also be an additional title which may be designated by the Insurance Officer for a department staff member.
- C. Deputy Insurance Officers shall perform such duties pertaining to the office of the

Insurance Department as the Insurance Officer may direct and shall act generally for and in such place of the Insurance Officer and perform such other and further duties as the Insurance Officer may assign.

- D. The designation of an order of succession for the position of Deputy Insurance Officer shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Insurance Officer filing a new written designation of order of succession.

**§ A44-3. Ulster County Self-Insurance Plan.**

- A. The plan of self-insurance provided for in Article 5 of the Workers' Compensation Law is hereby established and shall be known as "Ulster County Self-Insurance Plan."
- B. Participants.
  - (1) The County of Ulster shall be a participant in the plan. Any city, town and village, any fire district in any town which is not a member may elect to become participants in the plan. Any eligible municipality or public entity electing to become a participant shall file a certified copy of a resolution of its governing body electing to become a participant, with membership to become effective upon approval of the Plan Administrator. Any participant may withdraw from the plan effective at the end of a fiscal year by filing with the Clerk of the Legislature, on or before the preceding first day of July, a certified copy of a resolution of its governing body, electing to withdraw from the plan, upon the condition that it agrees to pay its proportionate share of the estimated liabilities of the plan at the time of withdrawal. Payment of such liabilities shall be made in a lump sum or the administrator may, upon approval of the County Executive, permit said payment to be made in installments.
  - (2) Each participant in the plan shall cooperate fully with the administrator in the administration of the plan, and annually, within 30 days of the close of each calendar year, and at such other times as the administrator may require, shall render such reports as may be requested, and shall promptly furnish all pertinent information relative to any claim and aid in the investigation of any claim involving such participant.
  - (3) Every new employee of any participant in the plan except volunteer fireman and civil defense volunteers may be required to undergo a physical examination before undertaking any of the duties of employment, except in the case of an emergency, in which case a participant employing such an employee may arrange for physical examination at the earliest possible time after undertaking the required duties. The expense of such physical examination may be paid from the funds of the plan upon approval of the administrator.
  - (4) For any violation of the provisions of the foregoing Subsection B(2) and (3) of

this section, or of the requirements of the Workers' Compensation Law, by a participant, the administrator shall charge a penalty of \$100 against said participant. In addition, the Legislature may by a majority vote expel such participant from the plan, and shall fix the amount of the share of such participant in outstanding claim, if any.

- (5) The share of each participant in the plan shall be collected as provided in §§ 67 and 71 of the Workers' Compensation Law, except that the share of each city, village, town and fire district participating in the plan shall be collected through the next succeeding tax levy.
- (6) The apportioned share of each participant shall be based 50% on the assessed valuation method and 50% on the loss-experience percentile to be calculated on the three years immediately preceding the current year.
- (7) Any participant with a single occurrence, which involves one or more individuals, and the incurred cost exceeds \$50,000 in any experience calendar year, would be obligated to assume 50% of said experience in determining his or her loss-experience percentile for the duration of the three years which comprise the retrospective experience rating plan. The cost of the remaining 50% of this experience shall be shared by all plan participants and used in determining the loss-experience percentile for the duration of the three years which comprise the retrospective experience rating plan. Certain claims such as controverted, contested or large scheduled loss claims may not apply to this credit. The determination will be made by the administrator.

C. Reserves.

- (1) Reserves not to exceed the unpaid workers' compensation claim liabilities of the plan are hereby established for the plan.
- (2) There shall be an annual appropriated contribution to said reserves by each participant, not to exceed \$50,000, until such time as the maximum established reserves are reached and maintained.
- (3) Notwithstanding the provisions of the foregoing Subsection C(2), any existing balance in the workers' compensation fund on December 31 of any year will be transferred to the reserves established, until such time as the maximum is reached and maintained.

D. Excess or catastrophe insurance. The administrator, subject to the approval of the County Executive, may purchase excess or catastrophe insurance, the cost thereof to be paid from the funds of the plan.

E. Custodian of funds. The Commissioner of Finance shall be the custodian of all monies of the plan and shall disburse the same in conformity with Article 5 of the Worker's Compensation Law.

F. Miscellaneous. Any representative or agent under contract with the administrator shall perform such duties as may be necessary to operate the plan in accordance with the Workers' Compensation Law; shall make the reports required by law; shall

attend hearings of cases before the Workers' Compensation Board; shall have the power to authorize necessary medical care which appears from medical reports and information to be justifiable; shall have the authority to purchase supplies, stationary, forms, books, and equipment necessary for the operation of said plan within the limits of the appropriations and subject to the approval of the administrator and the rules of the Legislature.

ARTICLE XLV  
**General and Transitional Provisions**

**§ A45-1. Existing laws continued.** 130

*Except as otherwise provided in the Charter, all existing state, County, local and other laws or enactments, including special acts having the force of law, shall continue in force until lawfully amended, modified, superseded or repealed.*

**§ A45-2. Continuation of authority.** 131

- A. *Continuity shall exist in performance of all rights, powers, duties and obligations attached to governmental functions detailed in the provisions of the Charter. Any proceedings or other business undertaken or commenced prior to the effective date of the Charter may be conducted and completed by the County officer or administrative unit responsible for those proceedings or that business under the Charter or any Administrative Code adopted in connection with it.*
- B. *The Charter shall not invalidate any obligations previously issued by the County or by any of its commissions, boards or agencies, and these shall be and remain binding obligations of the County. In the event any obligation shall have been issued in anticipation of the issuance of bonds by the County, or by any of its commissions, boards or agencies, the County is hereby empowered to issue such bonds as legal and binding obligations of the County.*

**§ A45-3. Civil service rights continued.** 132

*The civil service rights of all County employees and their beneficiaries shall not be affected by the Charter. The civil service rights of all employees transferred in any case authorized by the Charter shall be continued as provided by the Civil Service Law.*

**§ A45-4. Existing terms of office.** 133

*Nothing contained in the Charter shall affect the terms of office of County Clerk, District Attorney and Sheriff as presently constituted.*

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130. Editor's Note: See Charter § C-128.

131. Editor's Note: See Charter § C-129.

132. Editor's Note: See Charter § C-130.

133. Editor's Note: See Charter § C-131.

**§ A45-5. *Transfer of functions, duties and personnel; other County departments, boards, offices and agencies.*** <sup>134</sup>

- A. *Except as otherwise provided in the Charter, all County departments, boards, offices and units shall continue as provided by law.*
- B. *Any County officer appointed for a fixed term prior to the effective date of the Charter shall continue his or her office for the balance of the unexpired term.*
- C. *Nothing contained in the Charter is intended to constitute a transfer of any function or duty from any town or village or an abolition of any office, department, or unit of government of a town or village in the County. If any provision of the Charter is construed by any court of competent jurisdiction to constitute any such transfer or abolition, such provision shall be deemed to be optional as it affects the towns or villages and shall be effective only upon approval by the governing boards of such towns or villages.*
- D. *Additional appointments to be made by the County Executive. The County Executive shall appoint the head of any administrative unit not provided for in the Charter, subject to the confirmation of the Legislature. All such appointees shall serve at the pleasure of the County Executive and have such powers and duties as shall be provided by law, except where such law shall be inconsistent with the Charter within the limits prescribed in Article 4 of the Municipal Home Rule Law.*
- E. *Miscellaneous administrative functions. Administrative functions not otherwise assigned by the Charter or the Administrative Code shall be assigned by the County Executive to an appropriate administrative unit.*

**§ A45-6. *Charter clarification.*** <sup>135</sup>

*If any provision of the Charter is not clear or requires elaboration in its application, the County Legislature may interpret that provision in a local law, not inconsistent with the provisions of the Municipal Home Rule Law.*

**§ A45-7. *Amendments to Administrative Code.***

This Administrative Code may be amended by local law at any time.

**§ A45-8. *Severability.*** <sup>136</sup>

*If part of any provision of the Charter or this Administrative Code shall be judged by any court of competent jurisdiction to be invalid, that adjudication shall not affect, impair or invalidate the remainder of that provision but shall be confined in its effect to the clause, sentence, paragraph, section or article determined to be invalid by the Court.*

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134. Editor's Note: See Charter § C-132.

135. Editor's Note: See Charter § C-133.

136. Editor's Note: See Charter § C-135.

**§ A45-9. Dates.** 137

*If any date specified in the Charter or this Administrative Code falls, in any year, on a Saturday, Sunday or legal County holiday, then such date shall be deemed to refer to the next succeeding date which is not a Saturday, Sunday or legal County holiday.*

**§ A45-10. Amendments to Charter.** 138

- A. *The Charter may be amended in the manner provided by the Municipal Home Rule Law and or as provided for in the Charter. Any proposed amendment which would have the effect of transferring a function or duty of the County, or of a city, town, village, district or other unit of local government wholly contained within the County, shall not become operative unless it is approved by mandatory referendum as required by the Municipal Home Rule Law.*
- B. *Further, any amendment which would create or abolish an elective County office, change the power or method of removing an elective County officer during his or her term of office, abolish, curtail or transfer to another County office or agency any power of an elected County officer, or change the form or composition of the County Legislature shall be subject to a mandatory referendum.*

**§ A45-11. Completion of unfinished business.** 139

- A. *The performance of functions pursuant to the provisions of the Charter and this Administrative Code shall be deemed to constitute a continuation of such functions for the purpose of succession to all rights, powers, duties and obligations attached to such functions. Any proceedings or other business undertaken or commenced prior to the effective date of the Charter or this Administrative Code may be conducted and completed by the County officer or administrative unit responsible for such proceedings or other business under the Charter or this Administrative Code.*
- B. *The Charter or this Administrative Code shall not be deemed to invalidate any obligations previously issued by the County or by any of its commissions, boards or agencies, and such obligations shall be and remain binding obligations of the County. In the event any obligation shall have been issued in anticipation of the issuance of the bonds by the County, or by any of its commissions, boards or agencies, the County is hereby empowered to issue such bonds as legal and binding obligations of the County.*

**§ A45-12. Repealer clause.**

The following local laws are hereby repealed:

- A. **Local Law Number 1 of 1963** — A Local Law To Provide For The Continuity Of

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137. Editor's Note: See Charter § C-136.

138. Editor's Note: See Charter § C-137.

139. Editor's Note: See Charter § C-138.



Government Of The County Of Ulster, New York, In The Event Of An Attack Or Public Disaster.

- B. **Local Law Number 1 of 1967** — A Local Law To Provide For The Creation Of An Ulster County Public Employment Relations Board, And Establishing The Rules, Authority, And Qualifications Of Said Board, Pursuant To Article 14 Of The Civil Service Law Of The State Of New York, Adopted By The Laws Of 1967 Which Become Effective As Of September 1, 1967.
- C. **Local Law Number 2 of 1972** — A Local Law Establishing An Ulster County Traffic Safety Board For The County Of Ulster.
- D. **Local Law Number 4 of 1975** — A Local Law To Provide For The Creation Of Youth Bureau In And For The County Of Ulster.
- E. **Local Law Number 1 of 1976** — A Local Law Providing For The Filling Of Vacancies In The Office Of County Legislature Of The County Of Ulster.
- F. **Local Law Number 3 of 1978** — A Local Law To Create The Office Of Public Defender.
- G. **Local Law Number 4 of 1978** — A Local Law To Create The Office Of County Purchasing Agent.
- H. **Local Law Number 6 of 1978** — A Local Law To Change The Form Of Administration Of The Civil Service Law, And To Create The Office Of Personnel Officer.
- I. **Local Law Number 1 of 1979** — A Local Law To Establish The Ulster County Self-Insurance Plan, And To Provide For The Administration Thereof Pursuant To Article 5 Of The Workers' Compensation Law.
- J. **Local Law Number 2 of 1979** — A Local Law Of The County Of Ulster, Abolishing The Office Of Coroner And Coroner's Physician, And Establishing In The Department Of Health, The Office Of Medical Examiner.
- K. **Local Law Number 4 of 1980** — A Local Law Creating The Office Of County Administrator And Deputy County Administrator.
- L. **Local Law Number 5 of 1980** — A Local Law Providing For The Assignment To and Performance By The Chairman Of The Legislature Of Specified Administrative Functions, Powers And Duties Pursuant To Section 10 Of The Municipal Home Rule Law.
- M. **Local Law Number 3 of 1982** — A Local Law Providing For The Filling Of Vacancies In The Offices Of District Attorney, Sheriff, County Clerk And Treasurer Of The County Of Ulster.
- N. **Local Law Number 5 of 1984** — A Local Law Amending Local Law Number 4 of 1975 To Authorize The Creation Of The Office Of Deputy Director Of The Youth Bureau.

- O. **Local Law Number 2 of 1985** — A Local Law Designating The Administrator Of The County Self-Insurance Plan As The County Insurance Officer.
- P. **Local Law Number 5 of 1985** — A Local Law Establishing A Department of Residential Health Care Facilities.
- Q. **Local Law Number 2 of 1987** — a Local Law Amending Local Law Number 1 of 1979 To Provide A Minimum Advance Notice Requirement For Participant Withdrawing From The County Self-Insurance Plan.
- R. **Local Law Number 4 of 1987** — A Local Law Amending Local Law Number 4 Of 1980 To Provide For The Settlement Of Claims Within Certain Limits Without The Necessity Of A Legislative Resolution.
- S. **Local Law Number 4 of 1989** — A Local Law Amending Local Law Number 1 of 1979 As Amended By Local Law Number 2 of 1987 To Make Certain Changes In The Ulster County Self-Insurance Plan In Accordance With Article 5 Of The Workers' Compensation Law.
- T. **Local Law Number 2 of 1991** — A Local Law Repealing Sections Two And Three Of Article Three Of Local Law Number Two Of 1979 And Authorizing The Appointment Of Deputy Medical Examiners
- U. **Local Law Number 1 of 1992** — A Local Law Confirming The Departments Of County Government And The Positions And Authority Of All Department Heads And Their Deputies Or Assistants.
- V. **Local Law Number 4 of 1993** — A Local Law To Formally Establish The Office Of County Auditor And The Authority Of The Auditor And His Or Her Deputies.
- W. **Local Law Number 5 of 1993** — A Local Law To Formally Establish The Department Of Information Services And The Authority Of The Director And His Or Her Assistants.
- X. **Local Law Number 6 of 1993** — A Local Law To Formally Establish The Department Of Community Corrections And The Authority Of The Director And His Or Her Assistants.
- Y. **Local Law Number 7 of 1993** — A Local Law Amending Local Law Number 4 of 1978 To Formally Establish The Authority Of The County Purchasing Agent and His Or Her Deputies.
- Z. **Local Law Number 3 of 1994** — A Local Law To Formally Establish The Department Of Emergency Communications/Emergency Management And the Authority Of The Director And His Or Her Deputies or Assistants.
- AA. **Local Law Number 3 of 1996** — A Local Law Amending Local Law Number 1 of 1979 As Amended By Local Law Number 2 of 1987 And Local Law Number 4 Of 1989 To Change The Minimum Advance Notice Requirement For Participants Withdrawing From The County Self-Insurance Plan.
- BB. **Local Law Number 2 of 2003** — A Local Law Authorizing Members Of The

Ulster County Community Services Board And Its Subcommittees, Who Are Appointed To Fill An Unexpired Term, To Serve Two Consecutive Full Four Year Terms Upon The Conclusion Of The Unexpired Term.

- CC. **Local Law Number 4 of 2003** — A Local Law To Formally Establish The Ulster County Area Transit Department And To Create The Office Of The Director Of Public Transit.
- DD. **Local Law Number 4 of 2004** — A Local Law To Establish A Fair Housing Law In Ulster County.
- EE. **Local Law Number 5 of 2004** — A Local Law To Establish A Department Known As The Ulster County Tourism Office And To Create The Public Office Of The Director Of Tourism.
- FF. **Local Law Number 6 of 2004** — A Local Law Relating To The Appointment Of County Legislators By The County Legislature To Paid Positions Of County Employment.
- GG. **Local Law Number 1 of 2007** — A Local Law Amending Local Law Number 1 of 1979 As Amended By Local Law Number 2 of 1987, Local Law Number 4 Of 1989 And Local Law 3 Of 1996 To Change The Minimum Advance Notice Requirement For Participants Withdrawing From The County Self-Insurance Plan.
- HH. **Local Law Number 5 of 2007** — A Local Law To Create A Department Of Public Works For The County Of Ulster Pursuant To Section 10 Of The Municipal Home Rule Law.

**§ A45-13. Effective date.**

This Administrative Code shall take effect in accordance with § 27 of the Municipal Home Rule Law and become operative on January 1, 2009.